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THE WORKS

OF

ARCHBISHOP BRAMHALL.

THE

WORKS

OF THE

MOST REVEREND FATHER IN GOD,

JOHN BRAMHALL, D.D.

SOMETIME LORD ARCHBISHOP OF ARMAGH,

PRIMATE AND METROPOLITAN OF ALL IRELAND.

WITH

A LIFE OF THE AUTHOR,

AND A COLLECTION OF HIS LETTERS.

VOL. II.

NEW-YORK

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PREFACE.

THE present volume contains the remainder of Bramhall's treatises upon the subject of schism. They have been reprinted, as were those in the former volume, from the folio edition of his Works corrected by the original editions of the separate treatises: and consist of two Discourses; viz. The Replication to the Bishop of Chalcedon's[a] Survey, with an Appendix in Reply to S. W., Lond. 1656; and Schism Guarded, Hague 1658.

It is necessary to mention, that the quotations, made in the former of these treatises from the Bishop of Chalcedon's book to which it is a reply, do not tally in all cases with the copy of that book in the Bodleian Library; and this, in many instances, in a way which cannot have arisen from carelessness[b]. The copy in question bears no marks of belonging to a second or revised edition; but as the title-page has the date 1655, while Dodd[c] and Wood[d] both speak of it as being published in 1654, it probably is so.

It must be mentioned also, as some apology for the frequent introduction of corrections into the latter of the two

[a] Richard Smith, titular Bishop of Chalcedon, presided over the English Romanists from 1625 until his death in 1654-5. A full account of his life and writings will be found in Dodd's Church History, vol. iii. Pt. vi. bk. 1. art. 2. pp. 4—17. and bk. 2. art. 4. pp. 76—79; and in Wood, Athen. Oxon., vol. iii. pp. 384—388. ed. Bliss. For S. W. or Mr. Serjeant, who was an opponent of far inferior character, both for learning, for talent, and for courtesy, see p. 358. note j of the present volume.

[b] E. g. p. 72, text to note q; p. 222, text to note c; p. 248, text to note s.

[c] Ch. Hist., vol. iii. Pt. vi. bk. 2. Art. 4. p. 79.

[d] Athen. Oxon., vol. iii. p. 387. ed. Bliss.

treatises, that the original edition of it was printed abroad by a printer who knew no English, and abounds confessedly with errors[e]. But it need hardly be added, that no change has been made in the text unless with express notice, and where the context appeared absolutely to require it.

As the Replies and Rejoinders which followed upon the publication of the Just Vindication were rather numerous, it may be convenient to add a list of them. They were as follows:—

1. The Just Vindication of the Ch. of Engl. &c. (Disc. ii. Pt. i.) . . . . . Lond. 1654
2. R(ichard) C(halcedon)'s Brief Survey of the Lord of Derry his Treatise of Schism; wherein to cleare the Protestant Church from Schism, and to lay the fault upon the Roman Church. . Paris, 1654 or 5
   S. W. (William Serjeant)'s Down-Derry, or, Bp. Bramhall's Just Vindic. of the Ch. of Engl. Refuted (at the end of Schism Disarmed of the Defensive Weapons lent it by Dr. Hammond and the Bp. of Derry). . . . . Paris, 1655
3. Replication to the Bp. of Chalcedon, with an Appendix in Reply to S. W. (Disc. iii. Pt. i.) . . Lond. 1656
4. S. W.'s Appendix Vindicated against the pretended Reply of Dr. Bramhall, Lord of Derry (being the second division of Schism Dispatch't, or, A Rejoynder to the Replies of Dr. Hammond and the Ld. of Derry) . . . . . n. p. 1657
5. Schism Guarded &c. (Disc. iv. Pt. i. in answer to the second division of Schism Dispatch't, last mentioned). . . . . Hague, 1658

Another answer to Bramhall and Hammond jointly was published by Franciscus à Sancta Clarâ, entitled *De Schismate, Speciatim Anglicano*. It is in the first volume of his Works as published at Douay in 1665.

A. W. H.

[e] According to a Postscript (otherwise of no consequence) added by Bramhall to the original edition of the book.

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PART THE FIRST;

CONTAINING

THE DISCOURSES AGAINST THE ROMANISTS.

DISCOURSE III.

A REPLICATION

TO

THE BISHOP OF CHALCEDON,

HIS SURVEY

OF

THE VINDICATION OF THE CHURCH OF ENGLAND

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CLEARING THE ENGLISH LAWS FROM THE ASPERSION OF CRUELTY.

WITH

AN APPENDIX

IN ANSWER TO THE EXCEPTIONS OF S. W.

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CHRISTIAN reader, of what communion soever thou beest, so thou beest within the communion of the Œcumenical Church, either in act or in desire, I offer this second treatise of Schism to thy serious view and unpartial judgment. The former was a Vindication of the Church of England, this latter is a vindication of myself, or rather both are vindications of both. In vindicating the Church then, I did vindicate myself. And in vindicating myself now, I do vindicate the Church. What I have performed I do not say, I dare not judge; the most moderate men are scarcely competent judges of their own works.

No man can justly blame me for honouring my spiritual mother the Church of England; in whose womb I was conceived, at whose breasts I was nourished, and in whose bosom I hope to die. Bees, by the instinct of nature, do love their hives, and birds their nests. But God is my witness, that according to my uttermost talent, and poor understanding, I have endeavoured to set down the naked truth impartially, without either favour or prejudice, the two capital enemies of right judgment;—the one of which, like a false mirror, doth represent things fairer and straighter than they are; the other, like the tongue infected with choler, makes the sweetest meats to taste bitter. My desire hath been to have truth for my chiefest friend, and no enemy but error. If I have had any bias, it hath been desire of peace, which our common Saviour left as a legacy to His Church; that I might live to see the re-union of Christendom, for which I shall always bow the "knees of my heart" to the Father of our Lord Jesus Christ. [Prayer of Manasseh —Eph. iii. 14.] It is not impossible but that this desire of unity may have produced some unwilling error of love, but certainly I am most free from the wilful love of error. In questions of an inferior nature Christ regards a charitable intention much more than a right opinion.

Howsoever it be, I submit myself and my poor endeavours, first, to the judgment of the Catholic Œcumenical essential Church; which if some of late days have endeavoured to hiss out of the schools as a fancy, I cannot help it. From the beginning it was not so. And if I should mistake the right Catholic Church out of human frailty or ignorance (which for my part I have no reason in the world to suspect; yet it is not impossible, when the Romanists themselves are divided into five or six several opinions, what this Catholic Church, or what their infallible judge is), I do implicitly and in the preparation of my mind submit myself to the true Catholic Church, the spouse of Christ, the mother of the Saints, the [1 Tim. iii. 15.] "pillar of truth." And seeing my adherence is firmer to the infallible rule of Faith, that is, the Holy Scriptures interpreted by the Catholic Church, than to mine own private judgment or opinions; although I should unwittingly fall into an error, yet this cordial submission is an implicit retractation thereof, and I am confident will be so accepted by the Father of Mercies, both from me and all others who seriously and 14 sincerely do seek after peace and truth.

Likewise I submit myself to the representative Church, that is, a free general Council, or so general as can be procured; and until then, to the Church of England, wherein I was baptized, or to a national English Synod: to the determination of all which, and each of them respectively, according to the distinct degrees of their authority, I yield a conformity and compliance, or at the least, and to the lowest of them, an acquiescence.

Finally, I crave this favour from the courteous reader, that because the Surveyer hath overseen almost all the principal proofs of the cause in question (which I conceive not to be so clearly and candidly done), he will take the pains to peruse the Vindication itself. And then, in the name of God, let [Cic., Tusculan., v. 17.] him follow the dictate of right reason. For "as that scale must needs settle down whereinto most weight is put, so the mind cannot choose but yield to the weight of perspicuous demonstration."

DISCOURSE III.

A REPLICATION
TO
THE BISHOP OF CHALCEDON.

[First printed at London, A.D. 1656.]

AN ANSWER TO R. C. THE BISHOP OF CHALCEDON'S PREFACE.

SECTION THE FIRST.

[Of the introduction to R. C.'s Preface.]

I EXAMINE not the impediments of R. C. his undertaking this Survey. Only I cannot but observe his complaint of "extreme want of necessary books[a]," having all his own notes by him, and such store of excellent libraries in Paris at his command, than which no city in the world affords more, few so good: certainly the main disadvantage in this behalf lies on my side.

Neither will I meddle with his motives to undertake it. I have known him long to have been a person of great eminence among our English Roman Catholics, and do esteem his undertaking to be an honour to the treatise. "*Bos lassus fortius pedem figit*[b]" (said a great Father)—"The weary ox treadeth deeper." Yet there is one thing which I cannot reconcile; namely, a fear, "lest, if the answer were longer deferred, the poison of the said treatise might spread further, and become more incurable[c]." Yet with the same breath he tells us, that "I bring nothing new

[a] [Survey, Preface, p. 1. The Preface is not paged.]
[b] [Hieron., Ep. lxix., Ad Augustin., tom. iv. P. ii. p. 608.]
[c] [Surv., Pref., p. 2.]

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worth answering[d];" and in his answer to the first chapter, that "no other English minister (for ought he knows) hath hitherto dared to defend the Church of England from schism in any especial treatise[e]." Yes, divers; he may be pleased to inform himself better at his leisure. What? Is the treatise so dangerous and infectious? Is the way so unbeaten? And yet nothing in it but what is trivial? 'Nothing new that deserves an answer?' I hope to let him see the contrary. He who disparageth the work which he intends to confute, woundeth his own credit through his adversary's sides. But it seemeth, that, by surveying over hastily, he did quite oversee all our principal evidence and the chiefest firmaments of our cause. I am sure he hath quite omitted them: I shall make bold now and then to put him in mind of it.

Hence he proceedeth to five observable points, which he esteemeth so highly, that he believeth they "alone may serve for a full refutation of my book[f]." Then he must have very favourable judges.

[1. The first point noted in R. C.'s Preface.]

His "first point to be noted" is this, "that schism is a substantial division, or a division in some substantial part of the Church;" and "that the substantial parts of the Church are these three, profession of faith, communion in Sacraments, and lawful ministry[g]."

Three essentials of a true Church.

I confess I am not acquainted with this language, to make "profession of faith, communion in Sacraments, and lawful ministry," which are no substances, to be "substantial parts" of any thing, either physical or metaphysical. He defineth the Church to be a "society[h]." Can these be substantial parts of a society? As much as rationability, being but a faculty or specifical quality, is a substantial part of a man, because it is a part of his definition, or his essential difference. But I suppose that by "substantial" parts he means essentials, as we use to say the same Church in substance, or the same religion in substance, that is, in essence. And if so, then he might have spared the labour of proving it and pressing it over and over. For we maintain, that an entire profession of saving truth, a right use of the Word and Sacra-

[d] [Surv., Pref., p. 2.]
[e] [Ibid., c. i. sect. 1. p. 2.]
[f] [Ibid., Pref., p. 19.]
[g] [Ibid., p. 3.]
[h] [Ibid., c. v. sect. 6. p. 93.]

ments, and an union under lawful pastors, being taken jointly, do distinguish the Church essentially from all other
144 societies in the world. We have been told heretofore of other 'notes of the Church,' which did not please us so well, as antiquity, and universality, and splendour, &c., which may be present or absent, with the Church or without the Church; as if a man should describe money by the weight and colour and sound, or describe a king by his crown and sceptre, or describe a man, as Plato did, to be "a living creature with two legs without feathers,"—which Diogenes easily confuted by putting a naked cock into his school, saying, "Behold Plato's man[1]." Such separable communicable accidents are not notes '*καθ' αὑτὸ καὶ ἀεὶ*'—absolutely and at all times, but '*καθ' ἕτερον καὶ πότε*'—accidentally and at some times; whereas these three do belong unto the Catholic Church, and to all true particular Churches, inseparably, incommunicably, and reciprocally, and are proper to the Church '*quarto modo*'—to every true Church, only to a true Church, and always to a true Church. Yet I foretell him, that this liberal concession will not promote his cause one hair's breadth: as will appear in the sequel of this discourse.

Great difference between a true Church and a perfect Church.

But yet this essentiality must not be pressed too far, for fear lest we draw out blood in the place of milk. I like Stapleton's distinction well, of the nature and essence of a Church, from the integrity and perfection thereof[1]. These three essentials do constitute both the one and the other, both the essence and the perfection of a Church. Being perfect they consummate the integrity of a Church; being imperfect they do yet contribute a being to a Church. It doth not follow, that, because faith is essential, therefore every point of true faith is essential; or because discipline is essential, therefore every part of right discipline is essential; or because the Sacraments are essential, therefore every lawful rite is essential. Many things may be lawful; many things may be laudable; yea, many things may be necessary '*necessitate præcepti*,'—commanded by God, of Divine institution,—that are not essential, nor necessary '*necessitate medii*.' The want of them may be a great defect; it may be a great

[1] [Diog. Laert., lib. vi. § 40.]

[1] [See Relect. de Princip. Fidei, Controv. i. Qu. v. art. 1.]

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sin; and yet, if it proceed from invincible necessity or invincible ignorance, it doth not absolutely exclude from Heaven. The essences of things are unalterable; and therefore the lowest degree of saving faith, of ecclesiastical discipline, of Sacramental communion, that ever was in the Catholic Church, is sufficient to preserve the true being of a Church. A reasonable soul and a human body are the essential parts of a man. Yet this body may be greater or lesser, weaker or stronger; yea, it may lose a leg or an arm, which, before they were lost, were subordinate parts of an essential part, and yet continue a true human body, though imperfect and maimed, without destroying the essence of that individual man. Sensibility and a locomotive faculty are essential to every living creature. Yet some living creatures do want one sense, some another, as sight, or hearing. Some fly, some run, some swim, some creep, some scarcely creep; and yet still the essence is preserved. Naturalists do write of the serpent, that if there be but two inches of the body left with the head, the serpent will live, a true serpent, but much maimed and very imperfect.

Actual want of essentials not conclusive to God.

Much less may we conclude from hence, that the want of true essentials in cases of invincible necessity doth utterly exclude from Heaven, or hinder the extraordinary influence of Divine grace: no more than the actual want of circumcision in the wilderness did prejudice the Jews. God acts with means, without means, against means: and where the ordinary means are desired and cannot be had, He supplies that defect by extraordinary grace. So He fed the Israelites in a barren wilderness, where they could neither sow nor plant, with manna from Heaven. True faith is an essential; [Tit. iii. 5.] yet infants want actual faith. Baptism, the 'laver of regeneration,' is an essential; yet there may be the Baptism of the Spirit, or the Baptism of blood[k], where there is not the Baptism of water. He that desires Baptism and cannot have it, doth not therefore want it. So likewise ecclesiastical discipline is an essential of a true Church; yet R. C. himself will not conclude from thence, that actual subordination to every link in the chain of the Hierarchy is so essentially necessary, that without it there can be no salvation. Thus he saith,—

[k] [See Bingh., bk. x. c. ii. § 20.]

"We profess that it is necessary to salvation to be under the Pope as Vicar of Christ. But we say not that it is necessary '*necessitate medii*,' so as none can be saved who do not actually believe it, unless it be sufficiently proposed to them[l]." What he confesseth, we lay hold on,—that subjection to the Pope is not essentially necessary. What he affirmeth further, that it is preceptively necessary or commanded by Christ, we do altogether deny. I urge this only for this purpose, that though ecclesiastical discipline be an essential of the Church, yet, by his own confession, every particular branch of it may not be essential, though otherwise lawful and necessary by the commandment of God.

Particular rites, forms, opinions, no essentials.

But if by "profession of Faith" he understand particular forms of confession, often differing in points of an inferior nature, not comprehended either actually or virtually in the Apostles' Creed, or perhaps erroneous opinions; if by "communion in Sacraments" he understand the necessary use of the same rites and the same forms of administration, whereof some may be lawful but not necessary to be used, others unlawful and necessary to be refused; lastly, if by "lawful ministry" he understand those links of the Hierarchy, which have either been lawfully established by the Church, as Patriarchal authority, or unlawfully usurped, as monarchical power; we are so far from thinking that these are essential to the Church, that we believe that some of them are intolerable in the Church.

Schism is not always about essentials.

The other branch of this first note, that "schism is a division in some substantial parts of the Church of God[m]," is true, but not in his sense. All schism is either between Patriarchal Churches, or provincial Churches, or diocesan Churches, or some of these respectively, or some of their respective parts. But his sense is, that all schism is about the essence of religion. A strange paradox! Many schisms have arisen in the Church about rites and ceremonies, about precedency, about jurisdiction, about the rights and liberties of particular Churches, about matter of fact. Obstinacy in a small error is enough to make a schism. St. Paul tells us of divisions and factions and "schisms" that were in the Church of Corinth; yet these were not about the essentials of reli- [1 Cor. i. 10.]

[l] [Surv.,] c. viii. sect. 3. [not paged.]

[m] [Surv., Pref., p. 2.]

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gion, but about a right-handed error, even too much admiration of their pastors. The schism between the Roman and Asiatic Churches, about the observation of Easter, was far enough from the heart of religion. How many bitter schisms have been in the Church of Rome itself, when two or three Popes at a time have challenged St. Peter's Chair, and involved all Europe in their schismatical contentions! Yet was there no manner of dispute about Faith, or Sacraments, or Holy Orders, or the Hierarchy of the Church; but merely about matter of fact,—whose election to the Papacy was right.

From the former ground, R. C. makes two collections,—

Schism is not a greater sin than idolatry.

First that "schism is a most grievous crime," and "a greater sin than idolatry, .. because it tendeth to the destruction of the whole Church, .. whose essence consisteth in the union of all her substantial parts, and her destruction in the division of them[n]."

What doth this note concern the Church of England, which is altogether guiltless both of schism and idolatry? I wish the Church and Court of Rome may be as able to clear themselves. I am no advocate for schism. Yet this seemeth strange paradoxical doctrine to Christian ears. What? Is all schism a more grievous sin than formal idolatry? Who can believe it? Schism is a defect of charity; idolatry is the height of impiety, and a public affront put upon Almighty God. Schism is immediately against men, idolatry is directly against God. And the Fathers hold, that Judas sinned more in despairing and hanging himself than in betraying his Master, because the latter was against the humanity, the former against the Divinity, of Christ[o]. Idolatry is a spiritual adultery, and so styled every where in Holy Scriptures. A scolding contentious wife is not so ill as an adulteress; neither is that soldier who straggles from his camp, or deserts his General out of passion, so ill as a professed rebel, who attempts to thrust some base groom into his sovereign's throne. St. Paul calls idols "devils," and their altars "the tables of devils:"—can any sin be more grievous than to give Divine honour to the devil?

1 Cor. x. 20, 21.

[n] [Surv., Pref., p. 3.]

[o] [E. g. Leo the Great, Serm. i. de Passion. Dom., Serm. li. c. v. tom. i. p. 245. ed. Quesn.—See also Greg. M., Moral., lib. xi. c. 9. § 12. tom. i. p. 371. A. ed. Bened.]

It is true, that some schism in respect of some circumstance is worse than some idolatry; as when the schism is against the light of a man's knowledge, and the idolatry proceeds out of ignorance: but the learned 'Surveyer' knoweth very well, that it is a gross fallacy to argue '*à dicto secundum quid ad dictum simpliciter*,' to apply that which is spoken respectively to some one circumstance, as if it were spoken absolutely to all intents and purposes. As if one should say, that many men were worse than beasts, because each kind of beasts hath but one peculiar fault, and that by natural necessitation, as the lion cruelty, the fox subtilty, the swine obscenity, the wolf robbery, the ape flattery, whereas one may find an epitome of all these in one man, and that by free election; 146 yet he were a bad disputant who should argue from hence, that the nature of man is absolutely worse than the nature of brute beasts.

Saint Austin saith indeed, that "schismatics baptizing idolaters do cure them of the wound of their idolatry and infidelity, but wound them more grievously with the wound of schism[p]." The deepest wound is not always the most deadly. "For the sword killed the idolaters, but the earth swallowed up the schismatics[p]." And Optatus adds, that "schism is *summum malum*"—"the greatest evil[q];" that is, not absolutely, but respectively, in some persons, at some times. No man can be so stupid as to imagine, that schism is a greater evil than the sin against the Holy Ghost, or atheism, or idolatry. The reason of Optatus his assertion followeth, the same in effect with St. Austin's;—for 'the idolatrous Ninevites upon their fasting and prayer obtained pardon, but the earth swallowed up Korah and his company[r].' All that can be collected from St. Austin or Optatus, is this, that God doth sometimes punish wilful schismatics more grievously and exemplarily in this life, than ignorant idolaters; which proveth not that schism is a "greater sin than idolatry." Jeroboam made God's people schismatics, but his hand was dried up then when he stretched it out against the prophet; yet the former was the greater sin. The judg-

[Exod. xxxii. 28.—Numb. xvi. 32.]

[Jonah iii. 10.] [Numb. xvi. 32.]

[1 Kings xii. 28; xiii. 4.]

[p] August., De Bapt. [cont. Donatist.], lib. i. c. 8. [tom. ix. p. 85. G.—quoted by R. C., Surv., Pref., p. 4.]

[q] Optat., [De Schism. Donat.,] lib. i. [c. 21.—quoted by R. C., ibid.]

[r] [Optat., ibid.]

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ments of God in this life are more exemplary for the amendment of others, than vindictive to the delinquents themselves. And for the most part, in the whole history of the Bible, God seemeth to be more sensible of the injuries done unto His Church and to His servants, than of the dishonour done unto Himself. In the Isle of Man it is death to steal a hen, not to steal a horse, because there is more danger of the one than of the other, in respect of the situation of the country. Penal laws are imposed, and punishments inflicted, according to the exigence of places, the dispositions of persons, and necessities of times.

But because he hath appealed to St. Austin, to St. Austin let him go; I desire no better expositor of St. Austin than St. Austin himself. "*Exceptis illis duntaxat quicunque in vobis sunt scientes quid verum sit, et pro animositate suæ perversitatis contra veritatem etiam sibi notissimam dimicantes; horum quippe impietas etiam idololatriam forsitan superat.*"—"Excepting only those" (Donatists) "whosoever among you know what is true, and out of a perverse animosity do contend against the truth, being most evidently known to themselves; for these men's impiety doth peradventure exceed even idolatry itself[s]." The case is clear. St. Austin and Optatus did only understand wilful perverse schismatics, who upheld a separation against the evident light of their own conscience, comparing these with poor ignorant idolaters; and even then it was but a peradventure—"peradventure" they are 'worse than idolaters.' But I wish R. C. and his party would attend diligently to what follows in St. Austin, to make them leave their uncharitable censuring of others. —"*Sed quia non facilè convinci possunt, in animo namque latet hoc malum, omnes tanquam a nobis minus alieni leviori severitate coercemini*"—"But because these cannot be easily convicted, for this evil" (obstinacy) "lies hid in the heart, we do use more gentle coercion to you all, as being not so much alienated from us[t]." I wish all men were as moderate as St. Austin was, even where he professeth that he had learned by experience the advantage of severity. St. Austin and the Primitive Church (in the person of which he

[s] August., Epist. 48. [editt. before Bened.] Bened.—93. tom. ii. p. 234. E. F. ed.

[t] Ibidem.

speaks) spared the whole sect of the Donatists, and looked upon them as no such great strangers to them, because they did not know who were obstinate and who were not, who erred for want of light, and who erred contrary to the light of their own consciences. The like spirit did possess Optatus, who in the treatise cited by R. C. doth continually call the Donatists "brethren," not by chance or inanimadvertence, but upon premeditation; he justifieth the title, and professeth himself to be obliged to use it[u]; he would not have done so to idolaters. And a little before in the same book, he wonders why his "brother Parmenian," being 'only a schismatic, would rank himself with heretics,' who were "falsifiers of the Creed[x];" that is, the old primitive Creed, which the Council of Trent itself placed in the front of their Acts, as their north star to direct them. I wish they had steered their course according to their compass.

"To cut off a limb from a man, or a branch from a tree," saith he, "is to destroy them[y]." Most true. But the case may be such that it is necessary to cut off a limb to save the whole body, as in a gangreen. The word of error is a canker or gangreen, "ὡς γάγγραινα;" not *cancer*, a crab-fish, because it is retrograde, which was Anselm's mistake[z]. So, when superfluous branches are lopped away, it makes the tree thrive and prosper the better. 2 Tim. ii. 17.

147 His second conclusion from hence is, that "there can be no just or sufficient cause given for schism, because there can be no just cause of committing so great a sin;" and "because there is no salvation out of the Church[a];" which he proveth out of St. Cyprian and St. Austin, to little purpose, whilst no man doubts of it or denies it. And hence he infers this corollary, that I "say untruly that the Church of Rome is the cause of this" schism "and all other schisms in the Church, ... because there can be no just cause of schism[b]." My words were these, that "the Church of Rome, or rather the Pope and Court of Rome, are causally guilty both of this schism and almost all other schisms in the Church[c]." There is a great difference between these two.

There may be just cause of separation, [there can be] no just cause of schism.

[u] [De Schism. Donat., lib. i. cc. 3, 12.]
[x] [Ibid., c. 10.]
[y] [Surv., Pref., p. 4.]
[z] [In Comment. ad Epist. Secund. ad Timoth. c. ii. But he gives *both* explanations without preferring either.]
[a] [Surv., Pref., p. 4.]
[b] [Ibid., p. 5.]
[c] [Just Vindic., c. viii. (vol. i. p. 246), Disc. ii. Part i.]

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But to dispel umbrages, and to clear the truth from these mists of words: we must distinguish between the Catholic Œcumenical Church, and particular Churches, how eminent soever; as likewise between criminous schism and lawful separation.

[The Catholic Church cannot,] particular Churches may, give just cause of separation.

First, I did never say, that the Catholic or Universal Church either did give, or could give, any just cause of separation from it; yea, I ever said the contrary expressly. And therefore he might well have spared his labour of citing St. Austin, and St. Cyprian, who never understood the Catholic Church in his sense: his Catholic Church was but a particular Church with them; and their Catholic Church is "a mass of monsters and a hydra of many heads[d]" with him. But I did say, and I do say, that any particular Church, without exception whatsoever, may give just cause of separation from it by heresy, or schism, or abuse of their authority, in obtruding errors. And to save myself the labour of proving this by evidence of reason, and by authentic testimonies, I produce R. C. himself in the point, in this very Survey;—"Neither can there be any substantial division from any particular Church, unless she be really heretical or schismatical; I say *really*, because she may be really heretical or schismatical, and yet morally a true particular Church, because she is invincibly ignorant of her heresy or schism, and so may require profession of her heresy as a condition of communicating with her; in which case division from her is no schism or sin, but virtue, and necessary[e]." And when I urge, that a man may leave the communion of an erroneous Church, as he may "leave his father's house when it is infected with some contagious sickness, with a purpose to return to it again when it is cleansed[f]," he answers, that "this may be true of a particular Church, but cannot be true of the Universal Church[g]." Such a particular Church is the Church of Rome.

[But even particular Churches cannot give just cause of criminous schism.] Rom. iii. 8.

Secondly, I never said that a particular Church did give, or could give, sufficient cause to another Church of criminous schism. The most wicked society in the world cannot give just cause or provocation to sin. "Their damnation is just,"

[d] [Surv.,] c. ii. sect. 6. [p. 27.]
[e] [Ibid.,] sect. 4. [pp. 23, 24.]
[f] [Just Vindic., c. ii. (vol. i. p. 106), Disc. ii. Part i.]
[g] [Surv.,] Pref., p. 20. [The passage is in c. ii. sect. 4. pp. 25, 26.]

who say, "let us do evil that good may come" of it. Whensoever any Church shall give sufficient cause to another Church to separate from her, the guilt of the schism lies not upon that Church which makes the separation, but upon that Church from which the separation is made. This is a truth undeniable, and is confessed plainly by Mr. Knott;—"They who first separated themselves from the primitive pure Church, and brought in corruptions in Faith, practice, liturgy, and use of Sacraments, may truly be said to have been heretics, by departing from the pure Faith; and schismatics, by dividing themselves from the external communion of the true uncorrupted Church[h]." We maintain, that the Church of Rome brought in these "corruptions in Faith, practice, liturgy, and use of the Sacraments;" and, which is more, did require the profession of her errors as a condition of communicating with her. And if so, then, by the judgment of her own doctors, the schism is justly laid at her own door, and it was "no sin" in us, but "virtue and necessary," to separate from her. I acknowledge that St. Austin saith, "*Præscindendæ unitatis nulla est justa necessitas*"—"There is no sufficient cause of dividing the unity of the Church[i]." But he speaks not of false doctrines or sinful abuses in the place alleged, as if these were not a sufficient cause of separation. He proves the express contrary out of the words of the Apostle Gal. i. 8. and 1 Tim. i. 3. He speaks of bad manners and vicious humours and sinister affections, especially in the preachers, as 'envy, contention, contumacy, incontinency[k].' This was his case then with the Donatists, and is now the case of the Anabaptists. That these are no sufficient cause of dividing unity, he proveth out of Phil. i. 15—18. He saith, that in these cases there is no sufficient cause, "*cum disciplinæ severitatem consideratio custodiendæ pacis refrænat aut differt*"—"when the consideration of preserving peace doth restrain or delay the severity of ecclesiastical discipline[l]." He saith not, that in other cases there can be no sufficient cause. What doth this concern us, who believe the same? 148

Discourse III.

[h] Infidel. Unmasked, c. vii. sect. 112. p. 534. [But Knott quotes the doctrine expressly from "the Calvinists," to supply an argumentum ad hominem against its propounders.]

[i] Cont. Epist. Parmenian., lib. ii. c. 11. [§ 25. tom. ix. p. 42. E.—quoted by R. C., Surv., c. ii. sect. 4. p. 23.]

[k] [Idem, ibid., § 24. D.]

[l] [Idem, ibid., § 25. E.]

PART I.

SECTION THE SECOND.

[2. The second point noted in R. C.'s Preface.]

2. His second note is this, that "Protestants have forsaken . . the Pope, the Papacy, . . the Universal Roman Church, and all the ancient Christian Churches, Grecian, Armenian, Ethiopian, in their communion of Sacraments;" and "to clear themselves from schism, must bring just cause of separation from every one of these [m]."

Protestants have forsaken no ancient Churches:

I answer, that we are separated indeed from the Pope and Papacy, that is, from his primacy of power, from his universality of jurisdiction by Divine right, which two are already established from his superiority above general Councils and infallibility of judgment, which are the most received opinions and near establishing in the Roman Church. We have renounced their Patriarchal power over us, because they never exercised it in Britain for the first six hundred years, nor could exercise it in after-ages without manifest usurpation, by reason of the canon of the Œcumenical Council of Ephesus [n]. Yea, because they themselves waved it, and implicitly quitted it, presently after the six hundredth year. Disuse in law forfeits an office as well as abuse. But we have not separated from the Pope or Papacy, as they were regulated by the canons of the Fathers. We look upon their Universal Roman Church as an upstart innovation, and a contradiction *in adjecto*. We find no footsteps of any such thing throughout the primitive times. Indeed, the Bishops of Rome have sometimes been called Œcumenical Bishops; so have the other Patriarchs, for their universal care and presidency in general Councils, who never pretended to any such universality of power. But for all ancient Churches, "Grecian, Armenian, Ethiopian," &c.—none excluded, not the Roman itself,—we are so far from forsaking them, that we make the Scriptures, interpreted by their joint belief and practice, to be the rule of our reformation. And wherein their successors have not swerved from the examples of their predecessors, we maintain a strict communion with them. Only in rites and ceremonies, and such indifferent things, we

[As regards the rule of Faith;]

[Or things essential;]

[m] [Surv., Pref., p. 5.]

[n] [Concil. Ephes. (A. D. 431.) P. ii. Act. 7. Decree concerning the Cyprian Bishops, ap. Labb., Concil., tom. ii. p. 802. See Just Vindic., c. v. (vol. i. pp. 156, &c.), Disc. ii. Pt. i.]

use the liberty of a free Church, to choose out such as are most proper for ourselves, and most conducible to those ends for which they were first instituted, that is, to be advancements of order, modesty, decency, gravity, in the service of God, to be adjuments to attention and devotion, furtherances of edification, helps of memory, exercises of faith, the leaves that preserve the fruit, the shell that preserves the kernel of religion from contempt. And all this with due moderation, so as neither to render religion sordid and sluttish, nor yet light and garish, but comely and venerable. Lastly, for communion in Sacraments, we have forsaken no Sacraments either instituted by Christ or received by the primitive Christians. We refuse no communion with any Catholic Christians at this day, and particularly with those "ancient Churches" which he mentions, though we may be, and have been, misrepresented one unto another (yea, though the Sacraments may be administered in some of them not without manifest imperfection), whilst sinful duties are not obtruded upon us as conditions of communion. Under this caution we still retain communion in Sacraments with Roman Catholics. If any person be baptized or admitted into Holy Orders in their Church, we baptize them not, we ordain them not again. Wherein then have we forsaken the communion of the Roman Church in Sacraments? Not in their ancient communion of genuine Sacraments, but in their septenary number, and supposititious Sacraments; which yet we retain for the most part as useful and religious rites, but not under the notion of Sacraments: not in their Sacraments, but in their abuses and sinful injunctions in the use of the Sacrament; as their administration of them in a tongue unknown, where the people cannot say Amen to the prayers and thanksgivings of the Church, contrary to St. Paul; as their detaining the Cup from the laity, contrary to the institution of Christ, "Drink ye all of this,"—that is, not all the Apostles only, for the Apostles did not consecrate in the presence of Christ, and (according to the doctrine of their schools and practice of their Church) as to the participation of the Sacrament at that time were but in the condition of laymen[o]; as their injunction to all communicants to adore, not only

Discourse III.

In Sacraments.

1 Cor. xiv. [16.]

Matt. xxvi. 27.

[o] [Viz. as being non-consecrators.]

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Christ in the use of the Sacrament, to which we do readily assent, but to adore the Sacrament itself[p]; and, lastly, as their double matter and form in the ordination of a Priest, never known in the Church for above a thousand years after Christ[q]. These and such like abuses were the only things 149 which we did forsake; so as I may truly say,

"Non tellus cymbam, tellurem cymba, reliquit,"—

it was not we that did forsake them in the communion of their Sacraments, but it was their Sacraments that did forsake us. And yet we do not censure them for these innovations in the use of the Sacraments or the like, nor thrust them out of the communion of the Catholic Church, but provide for ourselves, advise them as brethren, and so leave them to stand or fall to their own Master. So on our parts there is a reformation, but no separation.

SECTION THE THIRD.

[3. The third point noted in R. C.'s Preface.]

His "third point is, that Protestants vary in giving the pretended just cause of their separation from the Roman Church: for at the first their only cause was the abuse of some that preached indulgences; since, some others give the adoration of the Blessed Sacrament, or Communion in one kind; others give the oath made by Pius the Fourth, which they call a new creed; others other causes: . . . which variety is a certain sign of their uncertainty of any true just cause of their separation[r]."

The true cause of the separation of some Protestants. [Ps. cxliii. 5. Vulg.]

That the pardoners and preachers of indulgences, and the envy of other orders, and the passionate heat of the Court of Rome ("*tange montes et fumigabunt*"—"touch the high mountains and they will smoke,") did contribute much to the breach of this part of Christendom, is confessedly true. But it is not only the abuse of some preachers of indulgences, but much more the abuse of indulgences themselves, which we complain of;—that a treasury should be composed of the Blood

[p] [Concil. Trident., Sess. xiii. cap. 5. et can. 6.]

[q] [See Courayer, Déf. de la Diss. sur la Valid. des Ord. Angl., tom. ii. P. i. liv. iv. c. 3. pp. 96, &c.]

[r] [Surv., Pref., p. 6.]

of Christ and the sufferings and supererogatory works of the Saints, to be disposed by the Pope for money. What is this, but to mingle Heaven and earth together; the imperfect works of man with the Sacrificed Blood of Christ? Neither was it the doctrine and abuse of indulgences alone, but the injunction to adore the Sacrament also, and Communion in one kind, and the new Creed of Pius the Fourth, or the new articles since comprised in that Creed, and the monarchy of the Pope by Divine right, and sundry other abuses and innovations all put together, which gave just cause to some Protestants to separate themselves, so far as they were active in the separation. But we in England were first chased away by the Pope's Bulls. If these abuses were perhaps not discovered, or at least not pleaded, all at once, what wonder is it? "*Dies diei eructat verbum, et nox nocti indicat scientiam*" —"day unto day uttereth speech, and night unto night sheweth knowledge."

Psalm. [xviii. 3. Vulg.]

His fourth point, which he saith is "much to be noted[s]," is reduced by himself to a syllogism;—"Whosoever separate themselves" in substance (that is, in essentials) "from the substance of a Catholic and true Church in substance, are true schismatics; but Protestants have separated themselves" in substance "from the Roman Church, which is a Catholic and true Church in substance; therefore Protestants are true schismatics[t]." His proposition is proved by him, because the "substances of things do consist in *indivisibili*," and 'the changing of them either by addition or by subtraction is not a reformation, but a destruction, of them;' and therefore it is "a contradiction" to say that a Church, which hath the substance or the essence of a Church, can give just cause to depart from her in her essentials; and not only a contradiction, but "plain blasphemy," to say that the true Church of Christ in essence, "His mystical Body, His kingdom," can give just cause to forsake it in essentials[u]. The assumption is proved by him, because we "confess that the Roman Church is a true Church in substance," and yet have forsaken it in the essentials of a true Church, namely, "the Sacraments, and the public worship of God[x]."

[4. The fourth point noted in R. C.'s Preface.]

[s] [Ibid.]
[t] [Ibid., p. 10.]
[u] [Ibid., pp. 7, 8.]
[x] [Ibid., pp. 6, 7, 8, 9.]

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Essences of things are indivisible, and destroyed by addition as well as subtraction.

His proposition admits little dispute. I do acknowledge, that no Church, true or false, no society of men or Angels, good or bad, can give just or sufficient cause to forsake the essentials of Christian religion, or any of them, and that whosoever do so, are either heretics or schismatics, or both, or, which is worse than both, downright infidels and apostates. For in forsaking any essential of Christian religion they forsake Christ, and their hopes of salvation in an ordinary way. But here is one thing which it behoveth R. C. himself to take notice of, that, if 'the essences of all things be indivisible, and are destroyed as well by the addition as by the subtraction of any essential part,' how will the Roman Church or Court make answer to Christ for their addition of so many (not explications of old articles, but) new pretended necessary essential articles of Faith, under pain of damnation (which by his own rule is to destroy the Christian Faith); who have coined new Sacraments, and added new matter and form, that is, essentials, to old Sacraments; who have multiplied sacred Orders, and added new links to the chain of the Hierarchy. This will concern him and his Church more nearly, than all his notes and points do concern us. 150

Concerning his assumption, two questions come to be debated; first, whether the Church of Rome be a true Church, or not; secondly, whether we have departed from it in essentials.

How the Church of Rome is and is not a true Church.

Touching the former point, a Church may be said to be a true Church two ways; metaphysically and morally. Every Church which hath the essentials of a Church, how tainted or corrupted soever it be in other things, is metaphysically a true Church, for '*ens et verum convertuntur.*' So we say a thief is a true man, that is, a reasonable creature consisting of a human body and reasonable soul; but speaking morally he is a faulty, filching, vicious person, and so no true man. So the Church of Rome is metaphysically a true Church, that is to say, hath all the essentials of a Christian Church, but morally it is no true Church, because erroneous. Contraries, as truth and error, may be predicated of the same subject, so it be not '*ad idem, secundum idem, et eodem tempore.*' Truth in fundamentals, and error in superstructures, may consist together. The "foundation" is right, but 'they have builded much hay and stubble upon it;' and in respect

1 Cor. iii. 12.

of this foundation she may, and doubtless doth, bring forth many true "members of Christ, children of God, and inheritors of the Kingdom of Heaven." The Church of the Jews was most erroneous and corrupted in the days of our Saviour; yet he doubted not to say, "Salvation is of the Jews." John iv. 22. I know it is said, that 'Christ hath given Himself for His Church to sanctify it, and cleanse it, and present it to Himself a glorious Church, without spot or wrinkle.' But that is to be understood inchoatively in this life; the perfection and consummation thereof is to be expected in the life to come. Eph. v. 25—27.

We have not left the Roman Church in essentials.

To the second question, whether the Church of England in the Reformation have forsaken the essentials of the Roman Church, I answer negatively; we have not. If weeds be of the essence of a garden, or corrupt humours or botches or wens and excrescences be of the essence of man; if errors and innovations and superstitions and superfluous rites and pecuniary arts be of the essence of a Church; then indeed we have forsaken the Roman Church in its essentials: otherwise not. We retain the same Creed to a word, and in the same sense, by which all the primitive Fathers were saved; which they held to be so sufficient, that in a general Council they did forbid all persons (under pain of deposition to Bishops and clerks, and anathematisation to laymen) to compose or obtrude any other upon any persons converted from Paganism or Judaism[y]. We retain the same Sacraments and discipline which they retained; we derive our Holy Orders by lineal succession from them; we make their doctrine and their practice (under the Holy Scriptures, and as best expositors thereof) a standard and seal of truth between the Romanists and us. It is not we, who have forsaken the essence of the modern Roman Church by substraction; but they, who have forsaken the essence of the ancient Roman Church by addition. Can we not forsake their new Creed unless we forsake their old Faith? Can we not reduce the Liturgy into a known tongue, but presently we forsake the public worship of God? Can we not take away their tradition of the patine and chalice, and reform their new matter and form in Presbyterian Ordination (which antiquity did

[y] Concil. Ephes. [A. D. 431.] P. ii. Act. vi. c. 7. [ap. Labb., Concil., tom. iii. p. 689. A.]

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never know, which no Church in the world besides themselves did ever use [z]), but presently we forsake Holy Orders? The truth is, their errors are in the excess, and these excesses they themselves have determined to be essentials of true religion. And so, upon pretence of interpreting, they intrude into the legislative office of Christ; and being but a Patriarchal Church, do usurp a power which the Universal Church did never own, that is, to constitute new essentials of Christian religion. Before the determination their excesses might have passed for probable opinions or indifferent practices; but after the determination of them as articles of Faith, '*extra quam non est salus*'—'without which there is no salvation [a]' (they are the words of the Bull), they became inexcusable errors. So both the pretended "contradiction" and the pretended "blasphemy" are vanished in an instant. It is no contradiction to say, that a true human body in substance may require purgation; nor blasphemy to say, that a particular Church (as the Church of Rome is) may err, and (which is more than we charge them withal) may apostate from Christ. In the mean time we preserve all due respect to the Universal Church, and doubt not to say with St. Austin, that "to dispute" against the sense thereof, "is most insolent madness [b]." 151

[5. The fifth point noted in R. C.'s Preface.]

His "fifth point" to be noted hath little new worth noting in it, but tautologies and repetitions of the same things over and over. "Some Protestants," saith he, do "impudently deny that they are substantially separated from the Roman Church [c]."

[We do] not differ in substance from the Roman Church.

If this be impudence, what is ingenuity? If this be such a gross error for man to be ashamed of, what is evident truth? We expected thanks for our moderation, and behold reviling for our good will. He might have been pleased to remember what himself hath cited so often out of my Vindication, that our Church since the Reformation is "the same in substance" that it was before [d]. If "the same in substance," then not

[z] [See p. 36. note q.]

[a] ["Extra quam" (fidem) "nemo salvus esse potest." Bull. Pii IV., in Act. Concil. Trident., ap. Labb., Concil., tom. xiv. p. 946. B.]

[b] August., Ep. 118. [editt. before Bened.—54. Ad Januar., c. 5. § 6. tom. ii. p. 126. C. ed. Bened.]

[c] [Surv., Pref., p. 10.]

[d] [Just Vindic., c. vi. (vol. i. p. 199), Disc. ii. Pt. i.]

substantially separated. Our comfort is, that Caleb and Joshua alone were admitted into the land of promise, because they had been peacemakers in a seditious time, and endeavoured not to enlarge but to make up the breach. He adds, that "the chiefest Protestants do confess" that they are "substantially separated from the Roman Church[e]." Who these "chiefest Protestants" are, he tells us not; nor what they say; but refers us to another of his treatises[f], which I neither know here how to compass, nor, if I could, deem it worth the labour. When these principal Protestants come to be viewed throughly and seriously with indifferent eyes, it will appear, that either by "substantially" they mean *really*, that is to say, that the differences between us are not mere logomachies or contentions about words and different forms of expression only, but that there are some real controversies between us both *in credendis* and *agendis*, and more, and more real, *in agendis*, than *in credendis*; or, secondly, that by "substance" they understand, not the old essentials or articles of Christian religion, wherein we both agree, but the new essentials or new articles of Faith lately made by the Romanists, and comprehended in the Creed of Pius the Fourth, about which we do truly differ;—so we differ "substantially" in the language of the present Romanists, but we differ not substantially in the sense of the primitive Fathers; the generation of these new articles is the corruption of the old Creed:—or, lastly, if one or two Protestant authors, either bred up in hostility against new Rome, as Hannibal was against old Rome, or in the heat of contention, or without due consideration, or out of prejudice or passion or a distempered zeal, have overshot themselves, what is that to us? Or what doth that concern the Church of England?

Discourse III.

[Numb. xiv. 38. Josh. xiv. 6—10.]

He saith, "St. Austin told the Donatists," that though "they were with him in many things," yet, "if they were not with him in few things, the many things wherein they were with him would not profit them[g]." But what were these few things wherein St. Austin required their communion? Were they abuses, or innovations, or new articles of faith? No, no, the truth is, St. Austin professed to the Donatists,

[e] [Surv., Pref., p. 11.]
[f] [Viz. De Author. Protestant., lib. ii. c. 11.]
[g] [Surv., Pref, pp. 11, 12.]

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that "many things and great things would profit them nothing," (not only if a few things, but) "if one thing were wanting;"—"*videant quam multa et quam magna nihil prosint, si unum quidem defuerit, et videant quid sit ipsum unum*"—"and let them see what this one thing is." What was it? "Charity[h]." For the Donatists most uncharitably did limit the Catholic Church to their own party, excluding all others from hope of salvation, just as the Romanists do now, who are the right successors of the Donatists in those "few things," or rather in that one thing. So often as he produceth St. Austin against the Donatists, he brings a rod for himself.

Furthermore he proveth out of the Creed and the Fathers, that "the communion of the Church is necessary to salvation[i];" to what purpose I do not understand (unless it be to reprove the unchristian and uncharitable censures of the Roman Court); for neither is the Roman Church the Catholic Church, nor a communion of saints a communion in errors.

[6. The sixth point noted in R. C.'s Preface.]

His sixth and "last point," which he "proposeth to judicious Protestants," is this; "that, though it were not evident, that the Protestant Church is schismatical," but only "doubtful," yet, it being "evident that the Roman Church is not schismatical,—because (as Doctor Sutcliff[j] confesseth) 'they never went out of any known Christian society,' nor can any Protestant prove that they did,"—it is the most 15
prudent way for a man to do for his soul, as he would do for "his lands, liberty, honour, or life," that is, to choose the safest way, namely, "to live and die" free from schism "in the communion of the Roman Church[k]."

[The case of the Church of England not to be perplexed with those of other Protestant Churches.]

I answer, first, that he changeth the subject of the question. My proposition was, that the Church of England is free from schism; he ever and anon enlargeth it to all Protestant Churches: and what or how many Churches he intendeth under that name and notion, I know not. Not that I censure any foreign Churches (with whose laws and liberties I am not so well acquainted as with our own); but because

[h] August., de Bapt. [cont. Donatist.,] lib. i. c. [9, § 12. tom. ix. p. 86. D.]

[i] [Surv., Pref., p. 12.]

[j] [Respons. ad Supplic. Catholic., c. ix., as quoted by R. C.; but what work is intended, does not appear.]

[k] [Surv., Pref., pp. 12, 13.]

I conceive the case of the Church of England to be as clear as the sun at noon-day, and am not willing for the present to have it perplexed with heterogeneous disputes. So often as he stumbleth upon this mistake, I must make bold to tell him, that he concludes not the contradictory.

Secondly, I answer, that he disputes '*ex non concessis*,' laying that for a foundation granted to him, which is altogether denied him, namely, that it is a "doubtful" case, whether the Church of England be schismatical or not:— whereas no Church under heaven is really more free from just suspicion of schism than the Church of England, as not censuring nor excluding uncharitably from her communion any true Church which retains the essentials of Christian religion.

[It is not doubtful whether the Church of England be schismatical or not.]

Thirdly, I answer, that it is so far from being "evident" that the Roman Church is guiltless of schism, that I wish it were not evident that the Roman Court is guilty of formal schism, and all that adhere unto it and maintain its censures, of material schism. If it be schism to desert altogether the communion of any one true particular Church, what is it not only to desert, but cast out of the Church, by the ban of excommunication, so many Christian Churches? over which they have no jurisdiction; three times more numerous than themselves; and, notwithstanding some few (perhaps) improper expressions of some of them, as good (or better) Christians and Catholics as themselves; who suffer daily, and are ready to suffer to the last drop of their blood, for the name of Christ. If contumacy against one lawful single superior be schismatical, what is rebellion against the sovereign ecclesiastical tribunal, that is, a general Council? But I am far from concluding all indistinctly. I know there are many in that Church, who continue firm in the doctrine of the Councils of Constance and Basle, attributing no more to the Pope than his "*principium unitatis*," and subjecting both him, and his Court, to the jurisdiction of an Œcumenical Council.

[It is not evident that the Roman Church is guiltless of schism.]

Fourthly, I answer, that supposing, but not granting, that it was "doubtful," whether the Church of England were schismatical or not, and supposing in like manner that it were "evident, that the Church of Rome was not schismat-

It is not lawful or prudent, [even were the case otherwise,] to leave the English

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Church and adhere to the Roman for fear of schism.

ical;" yet it was not lawful for a son of the Church of England to quit his spiritual mother. May a man renounce his due obedience to a lawful superior upon uncertain suspicions? No. In doubtful cases it is always presumed *'pro rege et lege'*—'for the king and for the law.' Neither is it lawful (as a Father said of some virgins, who cast themselves desperately into a river for fear of being defloured) to commit a "certain crime" for fear of an "uncertain[l]." Yea, to rise yet one step higher, though it were lawful, yet it were not prudence but folly for a man to thrust himself into more, more apparent, more real, danger, for fear of one lesser, less apparent, and remoter danger, or for fear of Charybdis to run headlong into Scylla. He who forsakes the English Church for fear of schism, to join in a stricter communion with Rome, plungeth himself in greater and more real dangers, both of schism and idolatry and heresy. A man may live in a schismatical Church, and yet be no schismatic, if he err invincibly and be ready in the preparation of his mind to receive the truth whensoever God shall reveal it to him, nor want (R. C. himself being judge) "either Faith, or Church, or salvation[m]."

The present Church of Rome departed out of the ancient Church of Rome.

And to his reason, whereby he thinks to free the Church of Rome from schism,—because they "never went out of any Christian society,"—I answer two ways: first, it is more schismatical to cast true Churches of Christ out of the communion of the Catholic Church, either without the keys, or *'clave errante'*—with an erring key, than merely and simply to go out of a particular Church. This the Romanists have done, although they had not done the other. But 153 they have done the other also. And therefore I add my second answer, by naming that Christian society, out of which the present Church of Rome departed, even the ancient primitive Roman Church, not locally, but morally, which is worse, by introducing corruptions in Faith, liturgy, and use of the Sacraments, whereby they did both divide themselves schismatically from the external communion of the true, primitive, uncorrupted Church of Christ, and

[l] [See Aug., De Civ. Dei, lib. i. c. 18. § 2, tom. vii. p. 18. C; of a supposed case.]

[m] [See the Answ. to La Millet. (vol. i. p. 79), and the Just Vindicat., c. vi. (vol. i. pp. 198, 199), Discourses i. and ii, Pt. i.]

became the cause of all following separation. So both ways they are guilty of schism, and a much greater schism than they object to us.

SECTION THE FOURTH.

All that follows in his Preface, or the most part of it, is but a reiteration of the same things, without adding one more grain of reason to enforce it. If I "did consider that to divide any thing in any of its substantial parts, is not to reform .... but to destroy the essence thereof," &c.; if I "did consider, that there are three substantial parts of a true Church in substance," &c.; if I "did consider, that any division of a true Church in any substantial part thereof is impious, because it is a destruction of Christ's Mystical Body," &c.; if I "did consider all these things," &c.; I "should clearly see" that the "English Protestant Church, in dividing herself from the substance of the Roman Church in all her formal substantial parts, ... committed damnable sin," and that I "in defending her therein commit damnable sin[n]." I have seriously and impartially weighed and considered all that he saith. I have given him a full account of it,—that we have neither separated ourselves from the Mystical Body of Christ, nor from any essential or integral part or member thereof. I have shewed him the original of his mistake,—in not distinguishing between sacred institutions and subsequent abuses, between the genuine parts of the body and wens or excrescences. And in conclusion (waving all our other advantages) I do not for the present find on our parts the least shadow of criminous schism. He prays God "to open my eyes that I may see this truth[o]." I thank him for his charity in wishing no worse to me than to himself. But errors go commonly masked under the cloak of truth;—

[The remainder of R. C.'s Preface for the most part mere reiteration.]

"Fallit enim vitium specie virtutis et umbrâ[p]."

I pray God open both our eyes, and teach us to deny our-

[n] [Surv., Pref., pp. 13—19. For "commit," in the last clause, read "defend."]

[o] [Ib., p. 19.]

[p] [Juven., xiv. 109.]

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selves, that we may see His truth, and prefer it before the study of advancing our own party (for here the best of us "know but in part," and "see as through a glass darkly"), that we may not "have the faith of Christ in respect of persons."

1 Cor. xiii. 9. 12. Jam. ii. 1.

[One new charge, viz. that the English Church is schismatical, because it communicates with schismatics.]

That which follows is new indeed. "To communicate with schismatics is to be guilty of schism;" but the English Church "joins in communion of Sacraments and public prayers with schismatics, namely Puritans and Independents[q]." This is inculcated over and over again in his book; but because this is the first time that I meet with it, and because I had rather be before-hand with him than behind-hand, I will give it a full answer here. And if I meet with any new weight added to it in any other place, I shall endeavour to clear that there, without wearying the reader with tautologies and superfluous repetitions.

To communicate with schismatics is not always schism.

And first I deny his proposition. To communicate with heretics or schismatics in the same public assemblies, and to be present with them at the same Divine offices, is not always heresy or schism; unless one communicate with them in their heretical or schismatical errors. In the primitive Church at Antioch, when Leontius was Bishop, the orthodox Christians and the Arians repaired to the same assemblies, but they used different forms of doxologies, the orthodox Christians saying, "Glory be to the Father, and to the Son, and to the Holy Ghost," and the Arians saying, "Glory be to the Father, *by* the Son, *in* the Spirit." At which time it was observed, that no man could discern what form the Bishop used, because he would not alienate either party[r]. So they communicated with Arians, but not in Arianism; with heretics, but not in heresy. Take another instance;—the Catholics and Novatians did communicate and meet together in the same assemblies; "*illo autem tempore parum aberat quin Novatiani et Catholici penitus conspirassent; nam eadem de Deo sentientes, communiter ab Arianis agitati, in similibus calamitatibus constituti, se mutuâ complecti benevolentiâ, in unum convenire, pariter orare, cœperunt;*" and

[q] [Surv., Pref., p. 21.]

[r] [Sozom., Hist. Eccles., lib. iii. c. 20.—Philostorg., Hist. Eccles., lib. iii. c. 13.—Theodor., Hist. Eccles. lib. iii. c. 24.]

further, "*decreverunt deinceps inter se communicare*[s]."—"At
154 that time it wanted little that the Novatians and Catholics did not altogether conspire in one; for having both the same Faith concerning God, suffering the same persecution from the Arians, and being both involved in the same calamities, they began to love one another, to assemble together, and to pray together;" and, "they decreed from that time forward to communicate one with another." The primitive Catholics thought it no schism to communicate with Novatians, that is, with schismatics, so long as they did not communicate with them in their Novatianism, that is, in their schism. Have the English Protestants matriculated themselves into their congregational assemblies? Have they justified the unwarrantable intrusion of themselves into sacred functions, without a lawful calling from Christ or His Church? Or their dispensing the greatest mysteries of religion with unwashen, or, it may be, with bloody hands? As for communicating with them in a schismatical liturgy, it is impossible; they have no liturgy at all, but account it a stinting of the Spirit. And for the Sacrament of the Blessed Body and Blood of Christ, it is hard to say whether the use of it among them be rarer in most places, or the congregations thinner. But where the ministers are unqualified, or the form of administration is erroneous in essentials, or sinful duties are obtruded as necessary parts of God's service, the English Protestants know how to abstain from their communion. Let the Roman Catholics look to themselves; for many say (let the faith be with the authors), that sundry of the sons of their own Church have been greater sticklers in their private conventicles and public assemblies than many Protestants[t].

The Church of England doth not communicate with schismatics.

Secondly, I deny his assumption,—that the Church of England doth join in communion of Sacraments and public prayers with any schismatics. What my thoughts are of those whom he ~~turns~~ "Puritans and Independents," they will not much regard; nor doth it concern the cause in question. Many mushroom sects may be sprung up lately

[s] Sozom., [Hist. Eccles.,] lib. iv. c. 19. [accord. to the translation of Christophorson.]

[t] [See Bramhall's Letters, No. X., vol. i. pp. xcv—xcvii.]

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But I conceive that by the English Church he intends particular persons of our communion. If so, then, by his favour, he deserts the cause, and alters the state of the question. Let himself be judge, whether this consequence be good or not;—sundry English Protestants are lately turned Romish proselytes; therefore the Church of England is turned Roman Catholic. A Church may be orthodox and Catholic, and yet sundry within its communion be heretics or schismatics or both. The Church of Corinth was a true Church of God, yet there wanted not schismatics and heretics among them. The Churches of Galatia had many among them, who mixed Circumcision and the works of the law with the faith of Christ. The Church of Pergamus was a true Church, yet they had Nicolaitans among them, and those that held the doctrine of Balaam. The Church of Thyatira had a preaching Jezebel that seduced the servants of God.

1 Cor. i. 2. 11; xv. 12.

[Galat. iv. 9-11; v. 4. 12.]

Rev. ii. 14, 15. 20.

[u] [Pompon. Mela, lib. i. c. 10.]

But who are these English Protestants that communicate so freely with schismatics? Nay, he names none. We must take it upon his word. Are they peradventure the greater and the sounder part of the English Church? Neither the one nor the other. Let him look into our Church, and see how many of our principal divines have lost their dignities
155 and benefices, only because they would not take a schismatical covenant, without any other relation to the wars. Let him take a view of our Universities, and see how few of our old Professors, or Rectors and Fellows of Colleges, he finds left therein. God said of the Church of Israel, that He had 'reserved to Himself seven thousand, that had not bowed their knees unto Baal.' I hope I may say of the Church of England, that there are not only seven thousand, but seventy times seven thousand, that mourn in secret, and wish their "heads were waters" and their "eyes [a] fountain of tears," that they "might weep day and night" for the devastation and desolation of the city of their God.

[1 Kings xix. 18.]

[Jerem. ix. 1.]

And if that hard weapon necessity have enforced any (perhaps with an intention to do good or prevent evil) to comply further than was meet, I do not doubt but they pray with Naaman, 'The Lord be merciful to me in this thing.' Suppose that some persons of the English communion do go sometimes to their meetings;—it may be out of conscience, to hear a sermon; it may be out of curiosity, as men go to see May-games, or monsters at fairs; it may be, that they may be the better able to confute them, as St. Paul went into their heathenish temples at Athens, and viewed their altars and read their inscriptions, yet without any approbation of their idolatrous devotions;—is this to "communicate with schismatics?" or what doth this concern the Church of England?

[2 Kings v. 18.]

[Acts xvii. 23.]

CHAP. I.

A REPLY TO THE FIRST CHAPTER OF THE SURVEY.

SECTION THE FIRST.

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How this chapter comes to be called 'a Survey of the first chapter of my Vindication[x],' I do not understand; unless it be by an antiphrasis, the contrary way, because he doth not survey it. If it had not been for the title, and one passage therein, I should not have known whither to have referred it.

[The first thing observable in R. C.'s Survey.]

In the first place he taxeth me for an omission, that I "tell not why the objection of schism seemeth more forcible against the English Church than the objection of heresy." And to supply my supposed defect, he is favourably pleased to set it down himself. "The true reason whereof" (saith he) "is because heresy is a matter of doctrine," which "is not so evident as the matter of schism, which is a visible matter of fact, namely a visible separation in communion of Sacraments and public worship of God[y]."

Objections against the Church of England in point of schism are *colourable*, not *forcible*.

I confess I did not think of producing reasons before the question was stated; but if he will needs have it to be thus, before we inquire why it is so, we ought first to inquire whether it be so. For my part I do not believe, that either their objections in point of heresy or in point of schism are so "forcible" against the Church of England. So he would have me to give a reason of a non-entity, which hath neither reason nor being. All that I said was this, that there is nothing more "colourably" objected to the Church of England, "at first sight, to strangers unacquainted with our affairs, or to such natives, as have looked but superficially upon the case, than schism[z]." Here are three restrictions, "colourably," "at first sight," "to strangers." "*Colourably*," that is, not "*forcibly*," nor yet so much as *truly*. He who doubteth of it, may do well to try if he can warm his hands at a glow-worm. "*At first sight*," that is, not by *force*, but rather by *deception* of the sight. So fresh-water seamen 'at first sight' think the shore leaves them, "*terræque urbesque*

[x] [Surv., c. i. title.]
[y] [Ibid., p. 1.]
[z] [Just Vindic., c. i., vol. i. p. 95.]

recedunt[a];" but straightways they find their error, that it is they who leave the shore. "To strangers," &c. that is, to unskilful judges. A true diamond and a counterfeit do seem both alike to an unexperienced person. Strangers did believe easily the Athenian fables of bulls and minotaurs in Crete; but the Cretans knew better,—that they were but fictitious devices[b]. The seeming strength lieth not in the objections themselves, but in the incapacity of the judges.

But to his reason, the more things are remote from the matter, and divested of all circumstances of time and place and persons, the more demonstrable they are. That is the reason why mathematicians do boast, that their principles are so evident, that they do not persuade but compel men to believe. Yet in the matter of fact, and in the application of
156 these evident rules, where every particular circumstance doth require a new consideration, how easily do they err? insomuch as let twenty geometricians measure over the same plot of ground, hardly two of them shall agree exactly. So it seemeth, that an error in point of doctrine may be more easily and more evidently convinced than an error in matter of fact. He saith, "the separation is visible." True: but whether the separation be criminous; whether party made the first separation; whether there was just cause of separation; whether side gave the cause; whether the Keys did err in separating; whether there was not a former separation of the one party from the pure primitive Church, which produced the second separation; whether they who separated themselves or others without just cause, do err invincibly or not; whether they be ready to submit themselves to the sentence of the Catholic Church;—is not so easy to be discerned. How many separations have sprung about elections or jurisdiction or precedency, all which rites are most intricate, and yet the knowledge of the schism depends altogether upon them. This 'Surveyor' himself confesseth, that a Church "may be really heretical or schismatical, and yet morally a true Church, because she is invincibly ignorant of her heresy or schism,... in which case it is no schism but a necessary duty to separate from her[c]." In this very case proposed by him-

[a] [Æn., iii. 72.]
[b] [Plut., in Theseo, tom. i. pp. 12, 13. ed. Bryant.]
[c] [Surv., c. ii. sect. 4. p. 24.]

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But the true ground, why schism is more probably objected to the Church of England than heresy, is a false but prejudicate opinion, that the bishop of Rome is the right Patriarch of Britain, that we deserted him, and that the differences between us are about Patriarchal rites; all which, with sundry other such like mistaken grounds, are evidently cleared to be otherwise in the "Vindication."

This is all that concerns my first chapter. The rest is voluntary.

[The second thing observable in R. C.'s Survey.] The next thing observable in his "Survey" is, that "Protestants confess, that they have separated themselves not only from the Roman Church, but also from all other Christian Churches in the communion of the Sacraments and public worship of God;" and "that no cause but necessity of salvation can justify such a separation from the crime of schism: and it must needs seem hard to prove that it was ... necessary for the salvation of Protestants, to make .. such a separation from all Churches in the world; as if there had been no Christian Church, in whose communion" in Sacraments "they could find salvation; whence it will follow, that at that time there was no true Church of God upon earth[d]."

For proof of the first point,—that Protestants have separated from all Christian Churches,—he produceth Calvin, Chillingworth, and a treatise of his own[e].

Authors ought to be cited fully and faithfully. It were to be wished, that Professors of Theology would not cite their testimonies upon trust, where the authors themselves may easily be had (only "impossibility is stronger than necessity," as the Spartan boy once answered the old senator after the Laconical manner); and that they would cite their authors fully and faithfully, not by halves, without adding to, or new moulding, their authorities according to their own fancies or interest. It may seem ludicrous, but it was a sad truth, of a noble English gentleman, sent ambassador into foreign parts, and with him an honourable spy under the notion of a companion, by whom he was accused

[d] [Ibid., c. i. pp. 2—4.]
[e] [Viz. De Author. Protestant., lib. ii. cc. 3, 9.]

at his return to have spoken such and such things at such and such times. The gentleman pleaded ingenuously for himself, that it might be he had spoken some of those things, or it might be all those things, but never any one of them in that order nor in that sense. 'I have,' said he, 'several suits of apparel, of purple cloth, of green velvet, of white and black satin. If one should put my two purple sleeves to my green velvet doublet, and make my hose, the one of white satin, the other of black, and then swear that it was my apparel; they who did not know me, might judge me a strange man.' To disorder authorities, to contract or enlarge them, to misapply them besides the scope, contrary to the sense, of the author, is not more discommendable than common. I have seen large volumes containing some hundreds of controversies (as was pretended) between Protestants and Papists, and among them all not above five or six that I could own; as if they desired that the whole woven Coat of Christ should be torn more in sunder than it is, or that they might have the honour to conquer so many fictitious monsters of their own making. I have
157 seen authorities mangled and misapplied, just like the ambassador's clothes, so as the right authors would hardly have been able to know them. So much prejudice, and partiality, and a habit of alteration, is able to do, like a tongue infected with choler, which makes the sweetest meats to taste bitter; or like coloured glass, which makes every object we see through it to appear of the same colour.

Wherefore I do intreat R. C. to save himself and me and the reader so much labour and trouble for the future, by forbearing to charge the private errors or opinions of particular persons (it skilleth not much whether) upon the Church of England; the most of which were mere strangers to our affairs, and many of them died before controversies were rightly stated or truly understood, for none of which the Church of England is any way obliged to be responsible: and likewise by forbearing to make so many empty references, to what he believes or pretends to have proved in some of his other books; 'see the "Author of the Protestant Religion;"' 'see the "Distinction of Fundamentals and not Fundamentals;"' 'see the "Sufficient Proposer of Faith;"'

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'see the "Protestants' Plain Confession;"' 'see the "Flowers of the English Church;"' 'see the "Epistle to King James;"' 'see the "Prudential Balance;"' 'see the "Collation of Scripture."' To what end can this serve, but either to divert us from the question we have in hand, or to amuse the reader and put him into a belief of some great achievements which he hath made elsewhere; or to excuse his present defects upon pretence of large supplies and recruits, which he hath ready in another place, but where the reader cannot come to see them? And what if the reader have them not to see, as it is my condition in present? What am I or he the worse? If he see no more in some of them, than I have seen heretofore, he will see a great many of mistated and mistaken questions, a great many of logomachies or contentions about words, a great many of private errors produced as common principles of Protestants, a great many of authors cited contrary to their genuine sense and meaning, and very little that is material towards the discussion of this or any other question.

Protestants confess no separation from the universal Church.

Just as Master Chillingworth is cited here to prove, that "Protestants have separated themselves in communion of Sacraments and public service of God, not only from the Roman Church, but also from all other Christian Churches in the world[g]," which is not only contrary to his sense but also contrary to his very words in the place alleged. "It is not all one" (saith he), "though you perpetually confound them, to forsake the error of the Church, and to forsake the Church; or to forsake the Church in her errors, and simply to forsake the Church," &c. "The former then was done by Protestants, the latter was not done. Nay, not only not from the Catholic Church, but not so much as from the Roman, did they separate *per omnia*, but only in those practices which they conceived superstitious or impious[h]." "Not only from the Roman Church, but also from all other Christian Churches in the world," saith R. C. "Not only not from the Catholic Church, but not so much as from the Roman Church," saith Mr. Chillingworth. "In communion of Sacraments and public worship of God," saith R. C.

Nor from the Roman, but only in her errors.

[g] [Surv.,] c. i. sect. 1. [pp. 2, 3.—as from Chillingworth.]

[h] Chillingw., [Relig. of Protest.,] c. iii. p. 132. [§ 11. Oxf. 1638.]

"Only in those practices which they conceived superstitious or impious," saith Mr. Chillingworth.

But because there is no question, wherein they study more to blunder and trouble the water and to involve themselves in dark clouds of obscure generalities, I will do my endeavour to distinguish that which is deceitful and confused, and represent the naked truth to the eyes of the reader.

[1. The Church of Rome a true Christian Church metaphysically.]

1. First, I acknowledge, that the Church of Rome is a true Christian Church in that sense that I have declared, that is, metaphysically, because it still retains all the essentials of a true Church. To have separated from it in any of these, had been either formal heresy, or formal schism, or both. But we have retained all these as much as themselves; and much more purely than themselves; for it may seem doubtful whether some of their superstitious additions do not virtually overthrow some of the fundamentals of religion; but with us there is no such danger.

[2. The Church of Rome retains not only essentials, but many other inferior truths.]

2. Secondly, I acknowledge, that besides the essentials of Christian religion the Church of Rome retains many other truths of an inferior nature, in doctrine, in discipline, in Sacraments, and many lawful and laudable practices and observations. To have separated from these had been at
158 least material schism, unless the Church of Rome should obtrude them upon other Churches as necessary and fundamental articles of Christian religion, and so presume to change the ancient Creed, which was deposited with the Church by the Apostles as the common badge and cognisance of all Christians for all succeeding generations.

[3. Vices of particular persons no just grounds of separation.] [Rom. ix. 21; 2 Tim. ii. 20.]

3. Thirdly, it is agreed, that one may not, one must not, separate himself from the communion of a true Christian Church for the vices or faults of particular persons in point of manners. We may not leave the Lord's field because there are tares, nor His floor because there is chaff, nor His House because there are 'vessels of dishonour,' nor His College because there was a Judas.

[4. Some errors just cause of reformation, but not of separation.]

4. Fourthly, some errors and abuses are not simply sinful in themselves; but to those that did first introduce them, to those who maintain and practise them for ambitious or avaricious ends, they are sinful. These are pressures and grievances to the Christian flock, rather than sins. They

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suffer under the burden of them, but they are innocent from the guilt of them. And so "*reum facit superiorem iniquitas imperandi, innocentem subditum ordo serviendi*[l]"—"a superior may sin in his commands, and yet his subject be innocent in his obedience." These are no just cause of separation to a private Christian; "Charity covers a multitude of sins." But they are just cause of reformation to a national Church or a Synod.

1 Pet. iv. 8.

[5. Some errors merely excesses without guilt.]

5. Fifthly, there are some errors in disputable points; and some abuses are mere excesses without guilt, rather blemishes than sins: and for these alone no man ought to separate himself from a Christian society, or abandon a true Church for trivial dissensions. Our duty in such a case is to pray and persuade, without troubling the peace of the Church, and to leave the rest to God. "Let us therefore, as many as be perfect, be thus minded; and if in any thing ye be otherwise minded, God shall reveal even this unto you."

Phil. iii. 15.

[6. The Church of Rome enjoins as necessary sinful errors.]

6. Lastly, we affirm, that in the superstructions of Christian religion the Church of Rome hath added and mixed sundry errors and abuses of greater consequence, and sinful innovations, in point of doctrine, and discipline, and administration of the Sacraments, and Feasts, and Fasts, &c. This we are ready to maintain. Neither doth she only profess and practise these errors and abuses, which perhaps by some persons at some times might be separated[k] without a separation; but she obtrudes them upon all others as essential truths and necessary articles. She enjoins sundry of them as a condition of her communion. She commands all Christians to believe and practise them under pain of damnation; and whosoever refuseth, she casteth them out of her society. Such is their new Creed in point of Faith, directly contrary to the canon of the general Council of Ephesus[l]. Such is the Pope's supremacy of power in point of discipline, expressly contrary to the determinations of the Councils of Constance and Basle[m]. Such is the adoration of the species of Bread and Wine, the detention of the Cup from the people, their

[l] [August., Cont. Faust. Manich., lib. xxii. c. 75, tom. viii. p. 405. G.]

[k] [? tolerated.]

[l] [See p. 39, note y.]

[m] [Concil. Constant. (A.D. 1415.) Sess. iv. et v, ap. Labb., Concil., tom. xii. pp. 19, 23.—Concil. Basil. (A.D. 1431) Sess. ii. et xxxiii, ibid. pp. 477, 478. 619.]

unknown language, &c., in the administration of the Sacraments, and in the public service of God. From these sinful duties thus enjoined as necessary, all men ought to separate. Lawful authority of man may oblige one to suffer, but no authority of man can warrant or oblige one to do sinful duties. Such a cause justifies a separation, until the abuse be reformed for which the separation was made. And being thus separated from sinful innovations, it may be lawful or convenient to reform lesser errors, which were not of such dangerous consequence, nor had been a sufficient cause of separation of themselves.

But here I must advertise the reader of a double manner of expression, used by English Protestants concerning this separation. They agree that the Roman Church retaineth the essentials of a true Church. They agree that she hath introduced errors and abuses into Christian religion. They agree that she obtrudes sinful innovations as necessary conditions of her communion. They agree that the separation is only from these errors and abuses, and are ready to return to a communion when these errors and abuses are removed. So in effect they say the very same thing, neither more nor less. But because these errors and abuses are inherent in their confessions, liturgy, and forms of administration of holy Sacraments, therefore some say that they are separated from the external communion of the Roman Church: and because
159 these errors and abuses are but adventitious and accidentally inherent, and may be, and ought to be, removed, therefore others say that their separation is not from the communion of the Roman Church, as it was, and may be, and ought to be, but only from the errors and abuses. The one speaks simply and absolutely,—'from the errors and abuses;' the others speak respectively and *secundum quid*,—'from the external communion of the Roman Church,' that is, so far as it is corrupted by these errors and abuses and not further, and so in sense they say the very same thing.

And therefore it is mere sophistry and a groundless cavil to argue from their separation from errors to their separation from truths, and from their separation in abuses to their separation in the Sacraments themselves. Suppose one, who is appointed to minister diet to another, will give him nothing

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but poisonous meats, and he knowing it will not receive it; tell me, who is the refuser? he that will not eat poison, or he that will not give him healthful food? The Roman Catholics do profess themselves to be as loyal to their sovereign, as any of his best subjects; and that they are as ready as any others to give assurance of it by oath. Yet they say there are some clauses inserted in the form prescribed, which they may not, they dare not, take. If any man should accuse them hereupon to have deserted the communion of the English monarchy in point of loyalty, they would be angry; and they had good reason for it. Upon the same equity let them forbear to accuse us of leaving the communion of their Church in Sacraments, when we only left their abuses. Distinguish between old institutions and new errors, and the case is clear.

Not the separation, but the cause, makes the schism.

Likewise supposing, but not granting, that we were not chased away by the censures of the Court of Rome, but had out of conscience separated ourselves from their errors in such manner as I have declared, yet the crime or guilt of the schism sticks close to them[n]. A conscientious Christian is as much chased away by imposing upon him the performance of sinful duties, as by the thunderbolt of excommunication. Schism is a voluntary separation; but our separation was no more voluntary on our parts, than the three children were willing to be cast into the fiery furnace; that is, they did choose rather to die innocents than to live nocents, to suffer burning rather than to commit idolatry. To be separated might be our *consequent* will,—because we could not help it. But it was far enough from our *antecedent* will, or that we did desire it. If we should see one pushed and thrust out of a house with swords and whips and clubs, would any man in his right wits call this man a fugitive and a runaway, or accuse him to have forsaken the house? Sin is a more dangerous edge-tool than a sword, and the wrath of God heavier than the weight of clubs, and the secret lashes of a guilty conscience sharper than whips. If they did impose upon us a necessity of doing sinful duties and offending God and wounding our own consciences whilst we stayed among them, then we did not leave them, but they did drive us from

[Dan. iii. 16—18.]

[n] Sect. 5. [The first chapter of the Survey contains no sections; nor does it appear to what this reference relates.]

them. Joseph came into his master's house to do his duty; his mistress tempts him to sin; Joseph flies away. What? from his duty? No; but from the offence of God: and she, that thought to hold him, was the person that did drive him away. Discourse III. [Gen. xxxix. 11, 12.]

He urgeth that nothing "but necessity of salvation can justify such a separation" (as he hath fancied to himself) "from the crime of schism[o]." Let it be so. He might have spared his authors in the margin to prove it. His defect lies on the other side. Doth not he think it necessary to salvation for every man so far as he can to eschew deadly sin? Or thinks he that a man may live securely in known errors contrary to the dictate of his conscience, without any prejudice to salvation? This was our condition. But yet 'there was salvation to be had in the Church of Rome;' so 'it was not necessary to salvation to make such a separation[p].' A strange consequence; just like this other,—God hath mercy in store for sinners, therefore it is not necessary to salvation to forsake sin. God's extraordinary mercy is one thing, our duty another. Because His compassion is great towards His poor creatures that offend out of invincible ignorance, is it therefore not necessary to salvation for those, who are convinced of their errors, to follow the commandment of God and the light of their own conscience? This is so evident that it admits no doubt. It is necessary to salvation to forsake known errors.

He adds, that "we separated ourselves not only from the Roman Church, but from all Christian Churches in the world, as if there had been no Christian Church in the world, in whose communion we could find salvation, whence it will follow that at that time" in their conceits "there was no true Church upon earth[q]." This he inculcates over and over in several places, according to his manner. And in his ninth chapter and fifth section he triumpheth in it, where he endeavours to prove out of Calvin, and Chillingworth, and Doctor Potter, that Protestants separated themselves "from the whole world[r]." That is, as he expresseth himself in other places, "from all Christian Churches;" and particularly, "from [We have not separated ourselves from all the Christian Churches in the world.]

[o] [Surv., c. i. p. 3.]
[p] [See Surv., c. ix. sect. 4. pp. 120, 121.]
[q] [Surv., c. i. pp. 3, 4.]
[r] [Ibid.,] c. ix. sect. 5. [pp. 127. &c.]

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the Roman, Grecian, Armenian, and Ethiopian Church," and "all other ancient Churches" whatsoever[s]. If it be so, then he may truly call us "*penitus toto divisos orbe Britannos*[t]."

Our Reformation no separation.

Of the Roman Church in particular, and how that possibility of salvation in any Church is not in true reason impeditive of its just reformation, we have already spoken sufficiently. It remaineth to give an answer concerning our separation from these Eastern Churches.

Our particular reformation cannot be said to be any separation from them. For they do neither pretend to be the Catholic or universal Church, as the Roman doth; nor challenge any jurisdiction over the Britannic Churches, as the Court of Rome doth; neither do we deny them the right of Christian Churches, or "the right hand of fellowship." Gal. ii. 9. In co-ordinate Churches, whereof one is not subordinate to another, some Churches reforming themselves, and not censuring or condemning others which are unreformed, whilst they preserve their duty entire to the Œcumenical Church, and its representative, a general Council, do not separate from other Churches but from their own errors. In a large garden suppose there should be many quarters, some weeded, some unweeded; there is indeed a separation of the plants from the weeds in the same quarters, but no separation of one quarter from another. Or if a man shall purge out of himself corrupted humours, he doth not thereby separate himself from other persons, whose bodies are unpurged. It is true, that such weeding and purging doth produce a distinction between the quarters weeded and the quarters unweeded, and between bodies purged and bodies unpurged. But either they stand in no such need of weeding or purging; or it is their own fault, who do not weed or purge when they have occasion. If they will needs misconstrue our lawful reformation to be an unlawful and uncharitable separation, how can we help it? We have separated from no Eastern, Southern, Northern, or Western Church. Our article tells them the same[u]. Either let them produce some act of ours, which makes or implies such a separation, or let them hold their peace for ever.

[s] [Ibid., c. i. pp 4, 5.]
[t] [Virg., Bucol., i. 67.]
[u] Art. [i. e. Canon] 30. [Canon. 1603.]

Lawful to communicate with the Eastern Churches.

But all this noise proceeds from hence, that R. C. conceives that we will no more join with those Eastern Churches, or any of them, in their Creeds, in their liturgies or public forms of serving God, nor communicate with them in their Sacraments, than we do with the Church of Rome. If we communicate not with the Roman Church in some things, it is not our faults. It is not their serving of God nor their Sacraments that we dislike; but their disservice of God, and corrupting of the Holy Sacraments. 1. But for these Grecian, Russian, Armenian, and Abissene Churches, I find gross superstitions objected to some of them, but not proved. I find some inusitate expressions about some mysteries which are scarcely intelligible or explicable, as the Procession of the Holy Ghost, and the union of the Two Natures in Christ, which are not frequently used among us, but I believe their sense to be the same with ours. The Grecians do acknowledge the Holy Ghost to be the Spirit of the Son. And all the other Churches are ready to accurse the errors both of Nestorius and Eutyches[x]. But that which satisfies me is this, that they exact of no man, nor obtrude upon him, any other creed, or new articles of Faith, than the Apostolic, Nicene, and Athanasian Creeds, with the explications of the general Councils of Ephesus, Constantinople, and Chalcedon, all which we readily admit and use daily in our liturgy. If the Church of Rome would rest where they do, we might well have disputable questions between us, but no breach of unity in point of faith. 2. Likewise in point of discipline, all these Churches ascribe no more to the Pope than a primacy of order, no supremacy of power or universal jurisdiction. They make a general Council, with or without the Pope's suffrage, to be the highest ecclesiastical tribunal. Let the Romanists rest where they do rest, and all our con-
161 troversies concerning ecclesiastical discipline will fall to the ground. 3. Thirdly, they have their liturgy in a language understood. They administer the Sacrament in both kinds to all Christians. They do not themselves adore, much less compel others to adore, the species of Bread and Wine (howsoever they have a kind of elevation). They have no new matter and form, no tradition of the Patine and Chalice

[x] [See Field, Of the Church, bk. iii. c. 1. pp. 50, &c.]

PART I. in Presbyterian Ordination, but only imposition of hands. They know no new Sacrifice, but the commemoration, representation, and application, of the Sacrifice of the Cross[y]: just as we believe. Let the Romanists but imitate their moderation, and we shall straight come to join in communion, in Sacraments, and Sacramentals also. Yet these are the three essentials of Christian religion, Faith, Sacraments, and discipline. So little ground had R. C. to tell us, that we had "separated ourselves from all Christian Churches in the world."

[Calvin is not the English Church.] ["*Discessionem facere.*"]

But Calvin saith, "we have been forced to make a separation from all the world[z]." Admit he did say so. What will he conclude from hence that the Church of England did the same? This consequence will never be made good without a transubstantiation of Mr. Calvin into the English Church. He himself knoweth better,—that we honour Calvin for his excellent parts, but we do not pin our religion either in doctrine or discipline or liturgy to Calvin's sleeve[a]. Whether Calvin said so or not, for my part I cannot think otherwise but that he did so in point of discipline, until somebody will be favourably pleased to shew me one formed national or provincial Church throughout the world before Geneva, that wanted Bishops, or one lay-elder that exercised ecclesiastical jurisdiction in Christendom. I confess the "Fratres Bohemi" had not the name of Bishops, but they wanted not the Order of Bishops under the name of "Seniores" or "Elders," who had both Episcopal Ordination (after their Presbyterian) and Episcopal jurisdiction and Episcopal succession from the Bishops of the Waldenses, who had continued in the Church under other names, time immemorial, and gave them charge at their reformation (long before Luther's time) to preserve that Order. All which themselves have published to the world in print[b]. I confess likewise that they had their lay-elders under the name of "Presbyteri," from whence Mr. Calvin borrowed his. But theirs

[y] [See Field as before quoted.]

[z] Calvin, Epist. 141. [ed. Lausan., Ad Melanchthon, in fin. tom. ix. p. 66. ed. Amstelod.; quoted by R. C. pp. 2, 128.]

[a] [See the Answer to La Millet. (vol. 1. p. 38,) Disc. i. Part i.]

[b] Ratio Ordinis et Disciplinæ Fratrum Bohemorum, [pp. 19, &c. ed. Comen., Amst. 1660: et Hist. Eccles. Bohem. eidem edit. præmissa, § 61. These "Seniores" were also called "Episcopi."]

in Bohemia pretended not to be ecclesiastical commissioners, nor did, nor durst, ever presume to meddle with the power of the keys, or exercise any jurisdiction in the Church[c]. They were only inferior officers, neither more or less than our church-wardens and sidesmen in England. This was far enough from "ruling elders." Howsoever, what doth this concern the Church of England, which never made, nor maintained, nor approved, any such separation?

Calvin no enemy to Episcopacy.

No more did Calvin himself out of judgment, but out of necessity, to comply with the present estate of Geneva, after the expulsion of their Bishop: as might be made appear, if it were needful, by his public profession of their readiness to receive such Bishops as the primitive Bishops were, or otherwise that they were to be reputed "*nullo non anathemate digni*[d];" by his subscription to the Augustan Confession, which is for Episcopacy,—"*cui pridem volens ac libens subscripsi*[e];" by his confession to the King of Polonia—"The ancient Church instituted Patriarchates, and assigned primacy to single provinces, that Bishops might be better knit together in the bond of Unity[f]:" by his description of the charge of a Bishop that should join himself to the reformed Church,—"to do his endeavour, that all the Churches within his Bishopric be purged from errors and idolatry, to go before the Curates" (or Pastors) "of his diocese by his example, and to induce them to admit the Reformation[g];" and, lastly, by his letters to Archbishop Cranmer, the Bishop of London, and a Bishop of Polonia[h].

I have searched the hundred one and fortieth Epistle, and for fear of failing, the hundred and one and fortieth page also in my edition, but I do neither find any such confession, nor remember any such, nor find any thing like it in the place

[c] Ibid, [p. 13.]

[d] [Lib. de Necess. Reform. Eccles., Op. tom. viii. p. 60. ed. Amstelod.]

[e] Epist. ad Martin Schaling, [Op. in fin. tom. ix. p. 113. ed. Amst.; and see the August. Confession, c. vii, De Potest. Eccles., in fine.]

[f] Epist. 190, [ed. Lausan.] ad Regem Poloniæ, [A.D. 1554.—in fin. tom. ix. pp. 86, 87, ed. Amst.]

[g] Calvin, Epist., impress. Genev. An. 1576. p. 340. [Scil. Responsum, '—Si Episcopus vel Curatus ad Eccles. se adjunxerit,—quomodo erga illos sese gerendum sit,' in fin. tom. ix. p. 213, ed. Amst.]

[h] [Epist. ad Cranmer. A.D. 1551. pp. 61, 62,—ad (Edmund. Grindall.) Episcop. Londin., A.D. 1560, pp. 144, 145;—ad Jacob. Ithav., Episcop. Vladislav, A.D. 1558, p. 131: in fin. tom. ix. ed. Amst.]

PART I. cited[1]; except peradventure he mean this, that Calvin, justifying Episcopacy and condemning the Papacy, hath these words, "It is one thing to receive moderate honour, such as man is capable of, and another thing to rule the whole world[k]," that is, as the Pope would do. Calvin speaks of the Pope's ambitious affectation of an universal empire, not of his just right or possession. I hope he doth not presently separate from all Christian Churches, who separates from the Pope, because the Pope pretends an universal jurisdiction. 162 Thus it is, when men make their own collections to be other men's confessions. But supposing that Calvin had said any such thing, it must be understood synecdochically of the Western Churches, the whole for a part, as they say at Paris, 'le monde de Paris'—'the world of Paris,' or as a Father said, "The world mourned and wondered to see itself turned Arian[l]." But Calvin said further, that "the idolatrous mass had possessed all kings and people from the first to the last[m]." This confirms the former exposition,—"all kings and people," that is, in these Occidental parts of Christendom. Certainly Calvin did not dream of the Duke of Muscovia, or Prester John, much less of the great Turk, or Sophy of Persia, within whose territories most of these Churches are. They have masses indeed, but no adoration of the Elements, and consequently no "idolatrous masses," which Calvin disliked.

["inebriavit."]

Doctor Potter cleared.

Perhaps he will speed better with Dr. Potter's testimony. To let R. C. see plainly what credit is to be given to such citations, I will reduce his argument out of Dr. Potter to a syllogism. All separation from the universal Church is schismatical; but Protestants confess that their separation is from the universal Church. His proposition is proved out of

[1] ["I have quoted the place right out of the edition of Lausanna (p. 244. ed. Lausan. 1573); but the Bishop's edition was that of Geneva, which occasioned his mistake." Note by editor of folio edit.]

[k] Epist. 190, ad Reg. Polon. [p. 87, as quoted above. For a fuller statement of Calvin's sentiments, and those of other foreign Protestants, concerning episcopacy, see the Answer to La Millet. (Vol. i. pp. 38, 39,) Disc. i. Pt. i.;—Serpent Salve (pp. 599—604, fol. edit.), Disc. ii. Pt. ii.;—Vindic. of. Episc. Divines, c. iv. (pp. 620, 621, fol. edit.), Disc. iii. Pt. ii.; and Durell, Vindic. Eccles. Anglic., cc. 33, 34.]

[l] [Hieron., Advers. Lucifer., tom. iv. P. ii. p. 300.]

[m] Institut., lib. iv. c. 18. § 18. [Op. tom. ix. p. 387. a. ed. Amst., quoted by R. C., p. 128.]

Dr. Potter, sect. iii. p. 74. This is true. Dr. Potter's words are these, "There neither was nor can be any just cause to depart from the Church of Christ, no more than from Christ Himself[n]." His assumption is proved out of Dr. Potter, sect. ii. p. 48. "Some separation (voluntary) from all visible Churches doth not exclude from Heaven[o]." If Protestants lie open to the lash, and have no better memories, it is an easy matter to confute them out of their own confessions; or rather let the reader judge what credit is to be given to such citations. Dr. Potter's words are these,—"If separation, such as hath been said, from all visible Churches, do not exclude from Heaven[p]." First, R. C. omits these words,—"such as hath been said," which words quite destroy his proof. The separation whereof he speaks there is only external, not internal; from all particular visible Churches, not from the universal Church. His words are these,—"A man may be a true visible member of the Holy Catholic Church, who is not actually (otherwise than in vow) a member of any true visible Church[q]." The instances or cases which he produceth are two: the one of a man unjustly excommunicated '*clave errante*,' who is not in the actual external communion of any particular Church, yet if he communicate in desire, "*sufficit ei ad salutem*[r]"—"it is sufficient to save him," which he proves out of Bellarmine[r] and St. Austin[s] and others; neither will R. C. himself deny it. The other instance is of Tertullian, who in his later days did "fall off from the Catholics," out of an indiscreet piety? "Why may we not hope that God pardoned the errors of his honest zeal[t]?" And herein also he hath the consent and concurrence of R. C. himself: that 'they who err invincibly, and hold the truth implicitly, do want neither Church, nor Faith, nor salvation[u].' What do these cases concern the present controversy? Not at all.

Discourse III.

And as R. C. subtracts, so he adds the word "voluntary"

[n] [Answer to Charity Mistaken, sect. iii. p. 75, quoted by R. C., Surv.,] c. ix. sect. 5. [p. 130.]

[o] [Answ. to Ch. M., sect. ii. p. 19, as quoted by R. C.] ibid. [p. 129.]

[p] [Answ. to Ch. M.] sect. ii. p. 49.

[q] [Ibid., sect. ii. p. 47.]

[r] Bellarm., De Eccles. Milit., lib. iii. c. 6. [Op. tom. i. p. 1240. B.]

[s] Augustin., De Vera Relig., c. 6. [§ 11. Op. tom. i. p. 752. A.B.C.]

[t] [Answ. to Ch. M., sect. ii. p. 49.]

[u] [See Just Vindic., vol. i. p. 198. note y.]

PART I. upon his own head, which is not in Dr. Potter. He who is excommunicated unjustly, is not excommunicated with his good will. Tertullian did not wilfully run into error. Ignorance destroys liberty in many cases, as well as force. Dr. Potter speaks only of such who are "*in voto*"—"in their desires" or willingly within the communion of the Church, and declares the contrary expressly, that "voluntary and ungrounded separation from the Catholic communion is without doubt a damnable schism[x]."

Lastly, Dr. Potter speaks not of the ordinary way of salvation, but of God's extraordinary mercy: "Why may we not hope that God pardoned the errors of his honest zeal?" Cannot God pardon formal, much more material, schism; and convert a schismatic at the last gasp, if it please Him? The Primitive Church refused to receive some sorts of offenders to their actual communion, and yet left them to the mercy of God for their salvation.

And Master Chillingworth. But his chiefest testimonies are taken out of Master Chillingworth, c. v. p. 273, "That Protestants did forsake the external communion of the visible Church[y];" and p. 274,—Mr. Knott objecting, that, "seeing there was no visible Church but corrupted, Luther forsaking the external communion of the corrupted Church could not but forsake the external communion of the Catholic Church,"—Master Chillingworth answers, "let this be granted[y]:" and p. 291, "It is not improbable that it may be lawful and noble for one man to oppose" (in faith) "the world[y]."

I answer;

First, that by external communion Master Chillingworth 163
meant nothing but errors in the external communion, and by the visible Church a considerable part of the visible Church. Hear himself,—"Indeed that Luther and his followers left off the practice of those corruptions, wherein the whole visible Church did communicate formerly (which I meant, when I acknowledged above that they forsook the external communion of the visible Church), or that they left that part of the visible Church in her corruption[s], which

[x] [Answ. to Ch. M., sect. ii. p. 48. There is an inaccuracy in Dr. Potter's language, such that the *letter* of it would bear out R. C.'s 'addition.']

[y] [Relig. of Protest., quoted by R. C. Surv. c. ix. sect. 5. pp. 128, 129.]

would not be reformed; these things, if you desire, I shall be willing to grant, and that by a synecdoche of the whole for the part he might be said to forsake the visible Church, that is, a part of it, and the greater part. But that, properly speaking, he forsook the whole visible Church, I hope you will excuse me if I grant not this[z]." And he gives this reason,—because a great part of the Church joined with Luther. He might have added a stronger reason, as I think, —that Luther's first quarrel with the pope was about indulgences and the supremacy, &c., wherein Luther did not desert, but join in communion with, the much greater part of the visible Church. If afterwards Luther fell upon other questions not so agreeable to the Eastern Church, yet they were no articles of the Creed, nor necessary points of Christian religion. The same interpretation he gives elsewhere,— "The first reformers as well as the Donatists," &c., "opposed the commands of the visible Church, that is, of a great part of it[a]."

Secondly, I answer, that what is said of the universal corruption of the visible Church, is not delivered positively, but doubtfully, and upon supposition, not grounded upon any matter of fact;—"It is not improbable[b]," and, "If we were put to our oaths, we should surely testify no such thing for you[b],"—which words do follow immediately in the place formerly cited. And in another place, "Neither to suppose a visible Church before Luther, which did not err, is [it] to contradict this ground of Dr. Potter's—that the Church may err,—unless you will have us believe that 'may be' and 'must be' is all one, and that all which *may* be true, *is* true[c]." Neither Dr. Potter nor Master Chillingworth did ever maintain a separation from the whole Christian world in any one thing, but from some Churches in one thing, from some in another, not necessary to salvation, wherein they dissented one from another. "That which is one and the same in all places, is no error, but delivered" by Christ and His Apostles[d]. St. Austin gives not much more latitude,—"That which the

[z] [Ibid. c. v.] p. 295. [§ 94.]
[a] [Ib. c. v.] p. 312. [§ 111.]
[b] [Ib. c. v.] p. 291. [§ 89. 'It is not *impossible*.']
[c] [Ib.] c. v. p. 273. [§ 56.]
[d] Tertull., [Lib. de Præscript. adv. Hæret. c. 28., Op. p. 241. C.]

PART I.

whole Church holds, and was not instituted by Councils, but always retained, is rightly esteemed to have been delivered by Apostolical authority[e]." Let Master Chillingworth be his own interpreter;—"It is one thing to separate from the communion of the whole world, another to separate from all the communions in the world; one thing to divide from them who are united among themselves, another to divide from them who are divided among themselves. The Donatists separated from the whole Christian world united, ... but Luther and his followers did not so[f]." In all this, here is not a word against the Church of England, nor any thing material against any particular Protestant. A perfect harmony and unanimity were to be wished in the universal Church, but scarcely to be hoped for (until "this mortal hath put on immortality"), in all disputable questions. The Romanists have no such perfect unity in their own Church, perhaps as many real differences as there are between us and the Grecians, or between us and themselves; but only they are pleased to nickname the one heresy, and to honour the other with the title of scholastical questions.

As great differences among the Romanists, as between them and the Eastern Churches or us.

Our communicating with schismatics hath been already answered[g].

SECTION THE SECOND.

In the latter part of this chapter, he chargeth me with four faults at a time, able to break a back of steel;

[1. R. C. chargeth the author with omitting to defend the foreign Protestant Churches.]

1. First, that I endeavour "to clear the English Protestant Church from schism, but not other Protestant Churches[h]."

I do not understand exactly the history of their reformation, nor the laws and privileges of foreign particular Churches. '*Qui pauca considerat facilè pronunciat*'—'he that considereth few circumstances giveth the sentence easily,' but seldom justly. He addeth, that "either it argues little charity in me, or little skill to defend them[i]." And elsewhere he instanceth in "the Scottish and French Huguenots," and

[e] [De Bapt.] Cont. Donat., lib. iv. c. [24. tom. ix. p. 140. C. D. § 31.]

[f] [Relig. of Protest.] c. v. p. 302. [§ 101.]

[g] Ch. i. § 13. [The passage of the Survey referred to is in the Pref. p. 21. see above pp. 46—48.]

[h] [Surv. c. i. p. 6.]

[i] [Ib. p. 5.]

layeth down the reason of my silence, "because I condemn them as schismatics for wanting that Episcopacy which I require as essentially necessary to a Catholic Church[k]." In the mean time let him remember what it is to raise discord
164 and make variance, Prov. vi. 16[l]. If the want of Episcopacy were my only reason, why do I not defend the Bohemian brethren, the Danish, Swedish, and some German Protestants, all which have Bishops?

But because he presseth me so much, I will give him a farther account of myself in this particular than I intended, or am obliged.

Whether all those be schismatics who want Bishops.

I confess I do not approve tumultuary reformations, made by a giddy ignorant multitude, according to the dictates of a seditious orator. But withal I must tell him, that God would not permit evil but that He knows how to extract good out of evil; and that He often useth ill agents to do His own works, yea, even to reform His Church. Jehu was none of the best men, yet God used him to purge His Church, and to take away the priests of Baal. The treason of Judas became subservient to the secret counsels of God, for the redemption of the world by the Cross and Passion of Christ. I do also acknowledge, that Episcopacy was comprehended in the Apostolic Office '*tanquam trigonus in tetragono;*' and that the distinction was made by the Apostles with the approbation of Christ; that the "Angels" of the seven Churches in the Revelation were seven Bishops; that it is the most silly ridiculous thing in the world, to calumniate that for a Papal innovation, which was established in the Church before there was a Pope at Rome; which hath been received and approved in all ages since the very cradle of Christianity, by all sorts of Christians, Europeans, Africans, Asiatics, Indians, many of which never had any intercourse with Rome, nor scarcely ever heard of the name of Rome. If *semper, ubique, et ab omnibus,* be not a sufficient plea, I know not what is.

[2 Kings x. 18—31.]

But because I esteem them Churches not *completely* formed, do I therefore exclude them from all hope of salvation? or esteem them aliens and strangers from the common-

[k] [Ib.] c. ii. sect. 3. [p. 20.]

[l] ["These six things doth the Lord hate; yea, seven are an abomination unto him; a proud look" &c. "And he that soweth discord among brethren." Prov. vi. 16. 19.]

PART I. wealth of Israel? or account them formal schismatics? No such thing.

First, I know there are many learned persons among them, who do passionately affect Episcopacy; some of which have acknowledged to myself, that their Church would never be rightly settled until it was new moulded[m]. Baptism is a Sacrament, the door of Christianity, a matriculation into the Church of Christ: yet the very desire of it in case of necessity is sufficient to excuse from the want of actual Baptism. And is not the desire of Episcopacy sufficient to excuse from the actual want of Episcopacy in like case of necessity? Or should I censure these as schismatics?

Secondly, there are others, who though they do not long so much for Episcopacy, yet they approve it, and want it only out of invincible necessity. In some places the sovereign prince is of another communion; the Episcopal chairs are filled with Romish Bishops: if they should petition for Bishops of their own, it would not be granted. In other places, the magistrates have taken away Bishops: whether out of policy, because they thought that regiment not so proper for their republics, or because they were ashamed to take away the revenues and preserve the Order, or out of a blind zeal, they have given an account to God; they owe none to me. Should I condemn all these as schismatics for want of Episcopacy, who want it out of invincible necessity?

Thirdly, there are others who have neither the same desires, nor the same esteem, of Episcopacy, but condemn it as an Antichristian innovation and a rag of Popery. I conceive this to be most gross schism materially. It is ten times more schismatical to desert, nay, to take away (so much as lies in them) the whole Order of Bishops, than to substract obedience from one lawful Bishop. All that can be said to mitigate this fault is, that they do it ignorantly, as they have been mistaught and misinformed. And I hope that many of them are free from obstinacy, and hold the truth implicitly in the preparation of their minds, being ready to receive it, when God shall reveal it to them. How far this may excuse (not the crime but) their persons from formal schism, either *à toto*

[m] [See also Taylor's Funer. Sermon for Abp. Bramhall, in the first vol. of this edition, p. lxx.]

or *à tanto*, I determine not, but leave them to stand or fall before their own Master.

The Romanists no fit persons to object schism to Protestants.

But though these Protestants were worthy of this contumely, yet surely the Romanists are no fit persons to object it, whose opiniastrety did hinder an uniform reformation of the Western Church. Who did first invest Presbyters with Episcopal jurisdiction, and the power of Ordaining and Confirming, but the Court of Rome, by their commissions and delegations, for avaricious ends? And could they think that the world would believe, that necessity is not as strong and effectual a dispensation as their mercenary Bulls? It is not at all material, whether Episcopacy and Priesthood be two distinct Orders, or distinct degrees of the same Orders, the one subordinate to the other; whether Episcopal Ordination do introduce a new character, or extend the old. For it is generally confessed by both parties, Protestants and Roman Catholics, that the same power and authority is necessary to the extension of a character, or grace given by Ordination, which is required to the institution of a Sacrament, that is, not human but Divine. These avaricious practices of that Court (though it be not commonly observed) were the first source of these present controversies about Episcopacy and ecclesiastical discipline, which do now so much disturb the peace of the Church.

[2. Needless to clear the English Church from schism in relation to other Churches besides that of Rome.]

2. The second fault which he imputeth to me is, that I endeavour "to clear the English Church from schism only in relation to the Church of Rome, not to all other Churches [n]." It was altogether needless to have troubled his own head or his reader's with this. For, first, he esteems none of all those Churches to be true Churches, but "a mass of monsters, a hydra of many heads [o]," or so many packs of heretics and schismatics, making the Roman Church and the Catholic Church to be convertibles. Secondly, it had not only been vain, but a sign of guilt, to make a defence before we were accused. None of those Churches, nor any body else that ever I heard of, hath accused us for deserting them, before R. C. [p], and he hath received his answer. If it had been needful, the Church of Rome had saved us that labour by

[n] [Surv., c. i. pp. 6, 7.]
[o] [Ibid.,] c. ii. sect. 6. [p. 27.]
[p] S[ee also Surv.,] c. ii. sect. [9. pp. 36, 37.

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excommunicating them beforehand. I only wish more intelligence between us and them.

2. The Church of England had better grounds [of separation] than personal faults of Popes.

3. My third fault is, that I "endeavour principally to justify our separation from the Roman Church, for the personal faults of Popes." And my fourth fault is, that I justify our separation from the Court of Rome for their "evil manners [q]." That this is not lawful to do, he proves by sundry authorities and arguments, I think the rather because no man denies it, or doubts of it, or because he would insinuate to his reader that we do deny it. If he had pleased, he might have contracted these two faults into one. The Pope and his Court make but one consistory, and "personal faults" and "evil manners" are the same thing. It had been needful to have joined them together, to give them a little more weight; for, being twisted, they weigh not half a grain. First, I deny that we hold "personal faults" or "evil manners" a sufficient cause of separation. Secondly, that separation which was made, was made by themselves, not by us. Thirdly, I deny that the Pope, or Court of Rome, ever had right to any jurisdiction over us; and if they ever had any pretence of right, we had other manner of grounds for separation than "evil manners;" as new articles of Faith; obtruding of idolatrous, superstitious, and sinful duties; gross usurpation of the rights of the sovereign prince, and all orders and degrees of subjects; the overthrow or endangering of the public peace and tranquillity of the kingdom; unlawful oaths contrary to our allegiance to our king, contrary to that duty which all Christians do owe to general Councils; and, lastly, the Pope's quitting of his Patriarchal power. Yet, by his leave, tyranny, oppression, and rapine, are somewhat more than "personal faults," and may be just grounds to princes and commonwealths to substract obedience, until there be a reformation of exorbitant abuses. Some personal faults, as simony and schism, may give just occasion to Christians to separate from pretended Popes. But there are other faults inherent in the office of the Pope; not his Episcopal office, which was in-

[q] [Ibid. c. i. pp. 7, 8. There seems to be some mistake in the following paragraph of the text: for the truth is, that there are but three faults charged upon Bramhall in the Survey, and that the third and fourth here spoken of are there "contracted into one."]

stituted by Christ or His Apostles; nor his Patriarchal office, which was instituted by the Church; but his pretended monarchical office, whereby he hath usurped a power paramount over the highest tribunal of the Church, that is, a general Council, whereof more shall be said in due place[r]. These faults give just cause to a general Council to separate the Popes themselves, and to take away their domineering Courts; or to a sovereign prince with a national Council, to shake off their tyrannical yoke.

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CHAP. II.

CONCERNING THE STATING OF THE QUESTION.

SECTION THE FIRST.

[Method observed in the Vindication.]

IN stating the question I observed this method; first, to shew what ecclesiastical separations were not schismatical: as, first, those separations which proceed out of a "sudden passionate heat," without attempting to make any parties, as those between St. Paul and Barnabas, St. Hierome and Ruffinus, St. Chrysostom and Epiphanius;—secondly, "premeditated clashings of Bishops or Churches long maintained," if they "forbear to censure one another," and be "ready to submit to the determination of a general Council," are not schismatical, as those between the Roman and African Bishops about appeals and rebaptization;—thirdly, where "just cause of separation" is given, for there the "separaters are innocent" and they who give the cause are schismatics;—fourthly, separation from an erroneous Church, or Pastor, in their errors[s]. Of all these, and their proofs, R. C. takes no notice at all, but passeth silently by them, without either granting, denying, or distinguishing.

[R. C.'s first exception; viz. against the author's definitions of schism.]

The first exception that he takes, is against my two supposed definitions of schism: the former is, "Schism is a criminous scissure, rent, or division in the Church, an ecclesiastical sedition, like to a mutiny in an army, or a faction in

[r] Infra, c. [viii.] sec. [2.]

[s] [Just. Vind. c. ii. vol. i. pp. 98—103.]

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a state[t]." The second, "Mere schism is a culpable rupture or breach of the Catholic communion[u]." And to supply my defect, he promiseth a better definition of his own; "True schism is a voluntary division in some substantial part of the true Church[x]." Really I do not wonder if my definitions be not complete. I do not take myself to have so happy a vein, that all that I utter should be a definition. I did not hold it needful, nor had any purpose, to define schism, but only to explain it: which my very words might have taught him; "schism signifies a criminous scissure," not *is*, but "*signifies*;" and those two similitudes added to the foot of my pretended definition, "like a mutiny in an army, or faction in a state." Similitudes are apt to illustrate, but not to define. The definition and the thing defined are ever the same; those things which are like one another, are never the same.

But let us view his grand exceptions to my supposed definitions.

My first "great fault" is, that I "do not express it" thus, "in some substantial part" or parts "of the Church:" for all schism is in essentials, "otherwise division in ecclesiastical ceremonies or scholastical opinions should be schism[y]."

All schism is not in essentials.

Here is nothing new but his reason; to which I answer, that all differences in rites and ceremonies are not schismatical, but if unlawful or sinful rites be obtruded by any Church as a condition of their communion, and a separation ensue thereupon, the obtruders of sinful rites, and they who break the unity of the Church for difference in indifferent rites, are guilty of schism. So likewise scholastical opinions are free, and may be defended both ways scholastically; but if they be obtruded magisterially upon Christians as necessary articles of Faith, they render the obtruders truly schismatical. This is the case of the Church of Rome in both these particular instances: and therefore it is not true, that all schism is a division in the "essentials" of religion, or its "substantial parts." When Pope Victor excommunicated the Eastern Churches about the observation of Easter, the dif-

[t] [Ibid., p. 103, quoted by R. C. Surv., c. ii. sect. 1.] p. 9.

[u] [Ibid, p. 108. quoted by R. C. ibid.,] p. 15.

[x] [Surv., c. ii. sect. 4.] p. 21.

[y] [Ibid., sect. 1. pp. 10, 11.]

ference was but about a rite, "*aut ritus potius tempore*" (saith a Roman Catholic)—"or rather the time of a rite." Yet it occasioned a schism; for either Victor's 'Key did err,' and then he was the schismatic; or it did not err, and then they were the schismatics. What the opinion of Irenæus and the Fathers of that age was, Eusebius tells us;—that "their letters were extant, wherein they chid Victor sharply about it[z]." There was much and long contention between the sees of Rome and Constantinople concerning the ecclesiastical jurisdiction of Bulgaria, a mere human rite, nothing to
167 the substance of the Church: and John the Eighth excommunicated Ignatius the Patriarch about it[a]. Here was a schism, but no essential of religion concerned. How many gross schisms have been in the Church of Rome merely about the due election of their Popes, a matter of human right, which was sometimes in the emperors, sometimes in the people, sometimes in the whole Roman clergy, and now in the College of Cardinals! Essentials of religion use not to be so mutable.

DISCOURSE III.

Nay, I believe that if we search narrowly into the first source and original of all the famous schisms that have been in the Church, as Novatianism, and Donatism, &c., we shall find that it was about the canons of the Church, no substantials of religion. Novatian's first separation from Cornelius was upon pretence that he himself was more duly elected Bishop of Rome[b], not about any essential of religion. The first original of the schism of the Donatists was because the Catholic Church would not excommunicate them who were accused to have been "*traditores*[c]." On the other side, Felicissimus raised a schism in the Church of Carthage, and 'set up altar against altar,' because the "*lapsi*," or those who had fallen in time of persecution, might not presently be restored upon the mediation of the Confessors, or, as they then styled them, Martyrs[d]. What schisms have been raised in the Church of England about round or square, white or

[z] [Euseb., Hist. Eccles. lib. v. c. 24. p. 192. C. ed. Vales.]

[a] [i. e. *threatened* to excommunicate.] Baron., Annal., in an. 878. [numm. 1—8. 12.]

[b] [Hieron., De Script. Eccles., c. 70, ap. Fabric., Bibl. Eccl., p. 158.]

[c] [Idem, ibid., c. 93, ibid. p. 182.]

[d] [Cypr., Epist. 13, pp. 81, 82.]

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black, about a cap, or a surplice, or the sign of the cross, or kneeling at the receiving of the Blessed Sacrament, or the use of the ring in marriage! What bitter contentions have been among the Franciscans in former times about their habits, what colour they should be, white, or black, or gray; and what fashion, long or short, to make them more conformable to the rule of St. Francis! With that violence have these petty quarrels been prosecuted, insomuch as two succeeding Popes, upon two solemn hearings, durst not determine them. And nothing was wanting to a complete schism but a sentence [f].

He might have spared his second proof of his three "substantial parts" (he meaneth essential properties) of the Church, until it had been once denied. Yet I cannot but observe how he makes heresy now worse than schism, because "heresy denieth the truth of God, which simple schism doth not [g]," whereas formerly he made schism worse than idolatry.

The second fault which he imputeth to me is, that I "confound mere schism with schism mixed with heresy," and "bring in matters of Faith to justify our division from the Roman Church [h]."

Errors in Faith obtruded justify a separation.

This second fault is like the former, both begotten in his own brain. Let him read my supposed definition over and over again, and he shall not find the least trace of any such confusion in it. To bring in their errors in matter of Faith, to justify us not only from heresy but from mere schism, is very proper. He himself hath already confessed it; I hope he will stand to his word, for it is too evident a truth to be denied; that, supposing they hold errors in matters of Faith, and make these their errors a condition of their communion, it is not only lawful, but "necessary," and "a virtue," to separate from them [i]. Their very errors in matters of Faith, and their imposing them upon us as necessary articles, doth justify a separation from them, and acquit us before God and man from all criminous schism, whether mere or mixed. The sin of Korah, Dathan, and Abiram was not mere schism, but

[f] Anti-Machiavel., in Epist. ad Lector. [Scil. De Regno adv. Mach. Libri Tres (by Innocent Gentillet), Præf. ad lib. ii., pp. 125. 133. ed. Lugd. Bat. 1647.]

[g] [Surv., c. ii. sect. 1. p. 12.]

[h] [Ibid., pp. 12, 13.]

[i] [Ibid., sect. 4. pp. 23, 24. See above, Answ. to Pref., p. 33.]

ambition, treason, and rebellion. Korah would have had the high priesthood from Aaron, and Dathan and Abiram would have been sovereign princes in the place of Moses by right of the primogeniture of Reuben. [Numb. xvi. 3. 13.] Discourse III.

So he proceeds to my other definition, "Mere schism is a culpable rupture or breach of the Catholic communion," to which, he saith, I "add in the next page, 'without sufficient ground,' and should have added also, 'in Sacraments or lawful ministry,'" and lastly have shewed, "what is a 'sufficient ground[k].'" But he mistakes throughout. For, first, to have added "without sufficient grounds," had been a needless tautology, which is not tolerable in a definition. To say that it is culpable, implies that it wants sufficient grounds; for if it had sufficient grounds, it were not culpable. Secondly, to have added "in Sacraments or lawful ministry," had been to spoil the definition, or description rather, and to make it not convertible with the thing defined or described. I have shewed that there are many mere schisms, that are neither in Sacraments nor lawful ministry. Lastly, I have shewed "what are sufficient grounds," and that the Church of Rome gave sufficient cause of separation, if he please to take it into consideration. [The author's second definition of schism.]

SECTION THE SECOND.

158 He saith, "Internal communion is not necessary" to make a man a member of a visible Church, or to make him "a Catholic," neither is it "put into the definition of the Church[l]." Let it be so. I am far from supposing that none but saints are within the communion of a true visible Church. But I am sure it is a good caution both for them and us. There is a mental schism, as well as a mental murder. "Whosoever hateth his brother is a murderer." What will it avail a man to be a Catholic in the eye of the world, and a schismatic in the eye of God? to be a member of the visible Church, and to be cast into utter darkness? "He is not a Jew, who is one outwardly; neither is that circumcision, which is outward in the flesh. But he is a Mental schism. 1 John iii. 15. Rom. ii. 28, 29.

[k] [Ibid., sect. 1. p. 15.]

[l] [Ibid., sect. 2. pp. 16, 17.]

PART I. Jew, who is one inwardly; and circumcision is that of the heart;" (so he is not a Catholic, who is one outwardly, but he, who is a Catholic inwardly;) "whose praise is not of men, but of God."

SECTION THE THIRD.

[Wherein doth consist the external communion of Catholics.] Then I set down wherein the external communion of Catholics doth consist,—in the same creeds or confessions of faith, in the participation of the same Sacraments, in the same liturgies or Divine offices, in the use of the same public rites and ceremonies, in the communicatory letters, and admission of the same discipline[m]. These observations about the parts of the Catholic communion, are so innocent, so indifferent, and so unsubservient to either party, that I hoped they might pass without any censure. But behold, there is not one of them can escape an exception.

To the first part of Catholic communion,—in the same creeds,—he takes two exceptions;

[Communion in Faith doth not acquit from schism.] First, "That communion in Faith is pretended a sufficient excuse from true schism[n]." Fear it not; no man dreameth that communion with the Church in her creed doth acquit from schism; but not communicating with the Church in her creed, doth make both schism and heresy. The having of faith doth not supply the want of charity; but the want of one necessary requisite renders the having of another insufficient. *'Bonum ex singulis circumstantiis, malum ex quolibet defectu.'*

Communion in all points of Faith not necessary always. His second exception is, that "true saving faith requireth" not only "a communion in the creed," but "in all God's words clearly revealed to him, and sufficiently proposed[o]." I answer,—What is necessary for this man, at this time, in this place, is one thing; what is necessary for all Christians, at all times, in all places, is another thing. Though all revealed truths be alike necessary to be believed, when they are known, yet all revealed truths are not alike necessary to be known. And they who know them not, are not obliged

[m] [Just Vindic., c. ii. vol. i. p. 104.]
[n] [Surv., c. ii. sect. 3. p. 18.]
[o] [Ibid. Read, "revealed *by* Him."]

to communicate in the belief of them, until they know them. So to believe them when they are revealed to us, is a necessary duty of all Christians; and yet the explicit belief of them is no necessary part of Christian communion. He that holds fast the old creed of the Church, hath all things that are absolutely necessary in point of faith. Perhaps he thinks that the determination of the Roman Church is a sufficient proposal; we know no such thing. Let him first win the privilege and then enjoy it.

To the second and third parts of Catholic communion he objects, that 'it is not sufficient to participate in Catholic Sacraments, unless it be done with Catholics[p].' This is true. How can they be parts of Catholic communion, if no Catholics do participate of them? But here are two advertisements necessary:—the one, that Sacraments purely administered, and Sacraments corruptly administered, so long as the abuses do not destroy the essence, are the same Sacraments; as Baptism administered in pure water, and Baptism administered with salt and spittle also, is the same Baptism;—the other, that it is not any Church of one denomination whatsoever, either Roman or other, that either is the Catholic Church, or is to judge under Christ who are true Catholics. There are many more Catholics without the Roman communion, than within it. Our separatists in England having first laid their own drowsy conceits for infallible grounds,—that their discipline is the sceptre of Christ, that they alone are Zion, and all other societies Babylon,—then they apply all the power and privileges and prerogatives of the Church unto themselves. So the Church of Rome, having flattered itself into an opinion, that she alone is the Catholic Church, and all other Churches divided from her, heretical or schismatical conventicles, though they be three or four times larger than herself, presently lays hold on the keys of the Church, opens and shuts, lets in and thrusts out, makes Catholics and unmakes Catholics, at her pleasure.

Sacraments purely and corruptly administered the same Sacraments.

169 He tells us, that "the communion of the Church doth not necessarily imply the same rites and ceremonies[q]." I know it right well. The Queen's daughter was arrayed in a garment "wrought about with divers colours." No men have been

[Other points of communion.]

[Ps. xlv. 10. Prayer Bk. vers.]

[p] [Ibid., p. 19.]

[q] [Ibid.]

PART I. so much to blame as the Church of Rome in obtruding indifferent rites as necessary duties upon other Churches. But yet, the more harmony and uniformity that there is in rites, the greater is the communion. The Church is compared to an army with banners. What a disorderly army would it be, if every soldier was left free to wear his own colours, and to give his own words!

I know the "communion of the Church did not consist in communicatory letters[r];" but they were both expressions, and excellent helps and adjuments, of unity, and antidotes against schism.

What he saith, now the third time, of our communicating with schismatics, hath been answered already[s].

SECTION THE FOURTH.

[R. C.'s own definition of schism.] "Wherefore" (saith he) "since I. D. hath failed so many ways in defining schism, ... let us define it better." And then he brings in his definition triumphantly;—"True schism is a voluntary division in some substantial part of the true Church[t]," that is, in some essential of Christian religion. Where lies the difference? I call it a "separation," and he calls it a "division;" I say "culpable," and he saith "voluntary;" '*omnis culpa est voluntaria.*' My expressions are more significant and emphatical. All the difference lies in these words, "in some substantial part of the true Church:" which for the form of expression is improper, to make essential properties to be "substantial parts;" and for the matter is most untrue; for there have been, are, and may be, many schisms which do not concern any essentials of Christian religion.

Schismatics in part do still remain in the Catholic Church. I would borrow one word more with him, why he calls it rather "a division *of* the true Church," than a division *from* the true Church. I know some Roman Catholics have doubted and suspended their judgments, whether schismatics be still members of the Catholic Church; others have determined that they are: and we are of the same mind, that in part they do remain still coupled and mortised to the Church,

[r] [Ibid., p. 20.]
[s] [Answ. to Pref., pp. 46—48.]
[t] [Surv., c. ii. sect. 4. p. 21.]

that is, in those things wherein they have made no separation,—"*ex eâ parte in texturæ compage detinentur, in cætera scissi sunt*[u]," —and that in this respect the Catholic Church by their baptism doth beget sons and daughters to God. And we think we have St. Austin for us in this also;—"*Una est Ecclesia quæ sola Catholica nominatur, et quicquid suum habet in communionibus diversorum a suâ unitate separatis, per hoc quod suum in iis habet, ipsa utique generat, non illæ*[x]." This perhaps is contrary to R. C. his opinions; howsoever, we thank him for it. But we do not think schismatics to be *equally* in the Church with Catholics, nor to be capable of salvation without repentance particular or general.

He saith, that "universal schism" or "a division from the whole Church" is "always wicked, because the Universal Church can give no just cause of division from her[y]." And he proves it out of St. Austin. His words are these,—"*Si possunt* (*quod fieri non potest*) *aliqui habere justam causam, quâ communionem suam separent a communione orbis terrarum*"—"If any could have a just cause to separate their communion from the whole communion of the whole world, which cannot be[z]." Let him always bring such proofs, which concern not us but make directly against himself. It is *they* who have separated themselves from the communion of the whole world, Grecian, Russian, Armenian, Abissene, Protestant, by their censures. We have made no absolute separation even from the Roman Church itself. I say more, that all *schism*, whether universal or particular, is wicked. But still he confounds schism, which is always unlawful, with separation, which is many times lawful (I take the word according to its use, not according to its derivation). Hear R. C. his ingenuous confession in this place, which overthrows and casts flat to the ground all that he hath endeavoured to build in this Survey:—"Neither indeed can there be any substantial division from any particular Church, unless she be really heretical or schismatical; I say *really*, because she may be really heretical or schismatical, and yet morally a true particular Church, because she is invincibly ignorant of

[All *schism* wicked, universal as well as particular.]

R. C. his confession.

[u] August., De Bapt. cont. Donatist., lib. i. [c. 8. § 10, tom. ix. p. 85. F.]

[x] Idem, [ibid.,] c. 10. [§ 14, ibid. p. 87. B.]

[y] [Surv., c. ii. sect. 4. p. 23.]

[z] August., Epist. 48. [editt. before Bened.—93. Ad Vincentium, c. 8. § 25. tom. ii. p. 241. D. ed. Bened.]

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heresy or schism, and so may require profession of her heresy as a condition of communicating with her, in which case division from her is no schism or sin, but virtue and necessary[a]." Apply but this to the Roman and English Churches, and the controversy is ended. The Roman Church is such a particular Church as he hath here described. The English Church hath been separated (but we will suppose that it had separated itself) from the Roman. In this case, by his own confession, the schism lies at the door of the Roman Church, from which the separation was made, if they separated first from the pure primitive Church which was before them, not locally, but morally. Yet, saith he, this erroneous Church is still "morally a true particular Church." Either this Church hath not all the essentials of a Christian Church, and then how doth it still continue a "true" Church? or it hath all the essentials, and then a true Church in substance may give just ground to separate from her in material heresy and schism. I will be as free with him concerning the Universal Church. If any man or society of Christians separate themselves from the united communion of the whole Catholic Church dispersed throughout the world, I cannot excuse him from schism. For whether the Catholic Church of this present age may err or not, this is certain,—she cannot err universally in any thing that is necessary to salvation, nor with obstinacy; and other inferior errors (if there be any such) are not of weight enough to yield sufficient ground of separation from the communion of the Catholic Church united. But for the divided parts of the Catholic Church, a man may differ from all of them in inferior points, some in one thing, some in another, wherein they differ one from another, and separate from some of them in their errors without criminous schism; and yet maintain a perfect union with the Catholic Church united.

[Propositions of the author untouched by R. C.]

I must not here forget to put R. C. in mind of sundry propositions laid down by me in this place, tending much to the clearing of this present controversy, all which he passeth by untouched: as this, that "external communion" may sometimes be lawfully "suspended, or withdrawn;" that "there is not the like necessity of communicating in all

[a] [Surv., c. ii. sect. 4, pp. 23, 24.]

externals;" that Catholic "communion implies not unity in all opinions;" that inferiors in some cases may lawfully substract communion from their superiors, and in special the Bishop of Rome; that in tract of time abuses will creep into Christian Churches, and ought to be reformed[b].

SECTION THE FIFTH.

The Britannic Churches never judged schismatics.

Only whereas I said in the Vindication, that the ancient Britannic Churches were never "judged" (that is, censured by a judgment of jurisdiction,) to be schismatics for their different observation of Easter[c], he saith, "they were judged schismatics both by Catholics of that time, and since, and Protestants," and that he hath proved it in one of his treatises[d]. I never see his treatise, but I know his manner of proof well enough. I say it over again, that I do not believe that they were ever judged schismatics for it, either by the Church, or by a Council, or by any lawful or supposed superior, which shews plainly that they were not under the jurisdiction of the Bishop of Rome. For it is not credible that he should excommunicate the Asiatic Bishops for that observation, and suffer his own subjects to differ from him under his nose; which is the only reason why I urged it. And I expect the proof of the contrary at the Greeks' calends. My assertion is negative,—that they were not sentenced as schismatics; this is affirmative,—that they were censured. The burden of the proof lies upon him. Let him shew who judged them, when, and where, or that they were censured at all.

SECTION THE SIXTH.

What is the true Catholic Church.

I shewed clearly in the Vindication, out of the Colloquy between the Catholics and Donatists at Carthage, that the Catholic Church is no Church of one denomination, but "the whole Christian world[e]." "True," saith he, "neither the

[b] [Just Vindic., c. ii. vol. i. pp. 104—108.]
[c] [Ibid., p. 106.]
[d] [Surv., c. ii. sect. 5. p. 25.]
[e] [Just Vindic., c. ii. vol. i. p. 109.]

PART I. Church of the city of Rome, nor of Afric, is the Catholic Church, but the whole Church of Christ[f]." By the Church of Rome I understand not either the Church of the city of Rome, or the diocese of Rome, or the patriarchate of Rome, but all Churches of the Roman communion, which altogether do not make the fourth part of "the Christian world." Yea, saith he, but "the whole Church is not such a multitude, or multitudes, of Christians, ... who agree only in fundamentals, ... but disagree in other points of faith, and differ wholly in communion of Sacraments[g]." All these great multitudes of Christians, he feareth not to call "a mass of monsters," and "a hydra of many heads," because they are not "wholly one in profession of faith, communion of Sacraments, and lawful ministry[h]," as that Catholic primitive Church was. I wonder he should forget their own distinction of the 'virtual,' 'representative,' and 'essential' Church, that is, these multitudes of dispersed Christians. I hope there be others that will not slight them so much. I confess, that the primitive Catholic Church had an exact com- 171
munion in all essentials or fundamentals, and in many other things. But that they had differences also of lesser moment in points of doctrine and discipline, and forms of administration of the Holy Sacraments, and liturgies, no man can doubt that hath his eyes in his head. Yet these lesser inconsiderable differences could produce no schism, whilst one Church did not condemn another, and all did submit themselves to the determination of a general Council, as the highest judge of controversies upon earth. The reason of their agreement was plainly this, because all Churches received the Primitive Creed, and no Church exacted more in point of Faith than the Primitive Creed. It would better become the Church of Rome to repent of their rash temerarious censure in excluding above three parts of the Christian world from the communion of saints,—out of passion and self-interest, because they will not acknowledge the supremacy of the Roman Bishop, no more than their predecessors did before them from the beginning.

[f] [Surv., c. ii. sect. 6. p. 26.]
[g] [Ibid., p. 27.]
[h] [Ibid.]

If these dispersed and despised "multitudes of Christians" would but submit to the Roman yoke, their religion would be found orthodox enough, and they would no longer be held "a mass of monsters," and "a hydra of many heads," but pass muster for good Catholics. Take an instance or two. Of all these multitudes of Christians, the Assyrians or the Nestorians have not the best repute; yet when Elias, a petty Patriarch of Muzal, submitted to the Bishop of Rome, and sent the confession of his Faith, it was found to be orthodox[i]. Of later days, about the year 1595, when part of the Russians, subject to the crown of Poland, submitted themselves to the Papacy, because they could not have free access to the Patriarch of Constantinople; in their submission they articled for the free exercise of the Greek religion[k]. To come nearer home;—this is certain, that Pius the Fourth sent Vincentio [Parpalia] with letters of credence to Queen Elizabeth, with secret instructions; for he intreated her in his letter, "to give the same credit to his agent, which she would do to himself." If these instructions were not written, we need not wonder. Such instructions are not to be seen publicly, unless they take effect. But some of our authors of great note in these days write positively, others probably upon common report, that he offered the Pope's confirmation of the English Liturgy, and the free use of the Sacrament in both kinds, &c., so she would join with the Romish Church, and acknowledge the primacy of the chair of Rome[l]. It is interest, not religion, that makes Catholics, and heretics, or schismatics, with the Court of Rome.

Interest makes Catholics with the Court of Rome.

Lastly, all these famous Churches, or the most of them, which he calls "multitudes of Christians," have a perfect concord both among themselves and with the primitive Church in all essentials. How should it be otherwise, whilst they hold the same Creed without addition or subtraction? They agree in most lesser truths. They hold their old liturgies, and forms of administration of the Sacraments, with less

[The other Churches have a perfect concord both with themselves and with the Primitive Church in essentials.]

[i] Thom. a Jesu, [Thesaur. Sap. Divin. in Gent. Omn. Salut. Procurandâ, lib. vii. P. i. cc. 3 et 4], cited by Dr. Field, [of the Church,] lib. iii. c. 1. [p. 63.]

[k] Idem, [ibid., lib. vi. P. iii. c. 1, cited by Field,] ibid. [p. 61.]

[l] Babington, Upon Numbers, c. vii. [§ 2. p. 35. ed. 1615.]—Camd., Annal. Elizab., an. 1560. [P. i. pp. 47—49. ed. 1639.]

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variation than the Church of Rome. If there be some differences among them, the Romanists have as great among themselves. One of these Churches alone, the Church of Constantinople, hath as many dependents and adherents as all the Churches of the Roman communion put together; and, I believe, a greater harmony within itself in doctrine, Sacraments, and discipline.

Whereas he chargeth me, that I "profess to communicate with the Catholic Church only in fundamentals, not in any other thing[m]," he wrongs me much, but himself more. For I profess myself ready to adhere to the united communion of the true Catholic Church in all things, whether they be fundamentals or no fundamentals, whether they be *credenda* or *agenda*—things to be believed or to be practised.

SECTION THE SEVENTH.

[Of the differences between the Church of Rome and the Protestant Church.]

He saith, "The Church of Rome is not homogeneal with the Protestant Church[n]." This is true *quà tales*,—as they are Roman and Protestant. The Roman Church is not a Protestant Church, nor the Protestant Church a Roman Church. Yet both the one and the other may be homogeneous members of the Catholic Church. Their difference in essentials is but imaginary.

Yet he goes about to prove it by three arguments.

1. The Church of Rome is materially idolatrous.

First, "an idolatrous Church differs essentially from a true Church;" but he saith, I charge the Church of Rome with idolatry, "in the adoration of the Sacrament[o]." Judge, reader, if this be not like the envious man in the fable, who was contented to have one of his own eyes put out, that his fellow might lose both his eyes. He had rather his own 172
Church should be questioned of idolatry, than that the Protestant Church should be a coheir with her of salvation. Because the ear is not the eye, "is it therefore not of the body?" In the places alleged by him, I do not charge the Church of Rome with idolatry. In the one place I speak of the adoration of the Sacrament as an abuse, but not one word of idolatry. In the other place, I speak of the peril of

1 Cor. xii. 16.

[m] [Surv., c. ii. sect. 6. p. 28.]
[n] [Ibid., sect. 7. p. 29.]
[o] [Ibid., from the Just Vindic., c. 1. vol. i. p. 110, c. vi. ibid. p. 191.]

idolatry, but not a word of the adoration of the Sacrament. If he cite his authors after this manner, he may prove what he list. Again, "The Sacrament is to be adored," said the Council of Trent[p]: that is, "formally the Body and Blood of Christ," say some of your authors[q]; we say the same;—"the Sacrament," that is, "the species of Bread and Wine," say others[q]; that we deny, and esteem it to be idolatrous. Should we charge the whole Church with idolatry for the error of a party? Lastly, I answer, that a true Church out of invincible ignorance may fall into material idolatry. He himself confesseth that it may fall in material heresy and schism[r]; and schism with him is worse than idolatry[s]. Though the Church of Rome do give Divine worship to the creature (or at least a party among them,) yet I am so charitable as to hope, that they intend it to the Creator.

2. Special faith is no article of our Creed.

From the adoration of the Sacrament, he passeth to "Justification by special faith only," and from thence to the propitiatory "Sacrifice" in the Mass[t]. As if two Churches could not differ about any questions, nay, not in the forms of expression, but presently the one of them must cease to be a true Church. I dare say, that, when I have declared my faith in these two particulars, he dare not step one step beyond me; or if he do, he steps into a manifest error. I do acknowledge true inherent righteousness in this life, though imperfect, by which a Christian is rendered truly just, as gold is true gold, though it be mixed with some dross. But if justification be opposed to condemnation, and signify a legal acquittal from guilt formerly contracted,—as "It is God that justifieth, who is he that condemneth?"—then it is the free grace of God that justifieth us, for the merits of Christ, by the new evangelical covenant of believing[u]. But where doth the Church of England teach, that man is justified by special faith? No where. "He that believeth and is baptized, shall be saved," that is a part of the Catholic faith; but 'I believe and am baptized,' that is justifying faith: 'Therefore I shall be saved,' that is special faith. There may be Catholic

Rom. viii. 33, 34.

Mark xvi. 16.

[p] [Concil. Trident. Sess. xiii. cap. 5. et Can. 6.]

[q] Bellarm., De Sacram. Euchar., lib. iv. c. 29. [Op., tom. ii. p. 929. B.]

[r] [Surv., c. ii. sect. 4. p. 24.]

[s] [Ibid., Pref., p. 3.]

[t] [Ibid., c. ii. sect. 7. pp. 29, 30.]

[u] [See the Answ. to La Millet. (vol. i. p. 56,) Disc. i. Pt. i.]

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faith without justifying faith, and justifying faith without special faith, because a man may truly believe, and yet not know so assuredly that he doth believe, and that he shall persevere in his belief, as to be able to infer the conclusion. Special faith is a rare jewel, not to be acquired but by long experience, by being deeply radicated in holiness, and by the extraordinary grace of God. So far he errs from truth, when he saith, that "justification by special faith is *prora et puppis*, the life and soul and definition of a Protestant[v]." But supposing it were true, what a strange arguing were this? All Protestants believe justification by special faith; but the Church of Rome condemneth special faith; therefore the Protestant and the Roman Church are not both true Churches. As if it were impossible for one true Church to condemn the opinions of another. But we shall meet with this subject of special faith again.

3. Papists can pretend to no other Sacrifice than Protestants.

And for his "power to offer sacrifice[x]," Protestants have as much power as Romanists. The Holy Eucharist is a commemoration, a representation, an application of the all-sufficient propitiatory Sacrifice of the Cross. If his Sacrifice of the Mass have any other propitiatory power or virtue in it, than to commemorate, represent, and apply, the merit of the Sacrifice of the Cross, let him speak plainly what it is. Bellarmine knew no more of this Sacrifice than we;—"*Sacrificium crucis*," &c. "The Sacrifice of the Cross remitteth all sins past, present, and to come; seeing it acquired a most sufficient price for the sins of the whole world: and therefore, that Sacrifice being finished, and sins being remitted, there remains not any Oblation for sin like to that, that is, for acquiring a price or value for the remission of sins[y]." To what use then serves the Sacrifice of the Mass? Hear him out;—"*Adhuc sunt*," &c.—"There are yet, and will be unto the end of the world, those to whom this price of deliverance is to be applied[z]." If this be all, as clearly it is,—to apply that price of deliverance, which Christ paid for us;—then what noise have they raised in the world to no purpose? Then our Sacrifice is as good as theirs[a]. Of our not com-

[v] [Surv., c. ii. sect. 7. p. 29.]
[x] [Ibid., p. 30.]
[y] Bellarm, De Missâ, lib. i. c. 25. [Op., tom. ii. p. 1038. C.]
[z] [Idem, ibid., D.]
[a] [See the Answ. to La Millet. (vol. i. pp. 54, 55.,) Disc. i. Pt. i.]

municating with them in Sacraments, he hath received an account formerly[b]; and of our ministers wanting power to offer Sacrifice, he shall receive a just account in due place[c]. Discourse III.

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SECTION THE EIGHTH.

I said that a man might render himself guilty of heretical pravity four ways; Four ways to incur heretical pravity.

First, "by disbelieving any fundamental article of Faith, or necessary part of saving truth[d]." [First way.] For though fundamentals only be simply necessary to be known of all Christians, yet there are many other truths revealed by God, which being known are as necessary to be believed as the fundamentals themselves. And to discredit any one of these lesser truths, after it is known that God hath revealed it, is as much as to deny the truth of God, or to deny all the fundamentals put together. Against this he urgeth, that "heresy is incurred by disbelieving any point of faith whatsoever, if it be sufficiently proposed[e]." Right; if it be so proposed that a man knows it to be a revealed truth, or might know it, if he did not obstinately shut his eyes against evident light. But the Church of Rome is no such sufficient or infallible proposer, that every man is bound to receive its determinations as oracles. But R. C. leaves these words out of my discourse, "or necessary part of saving truth," that is, necessary to some persons, in some places, at some times, to whom they are sufficiently revealed. Is this fair dealing?

Secondly, I said that heresy was incurred, "by believing superstitious errors or additions, which do virtually and by evident consequence overthrow a fundamental truth[f]." [Second way.] This is denied by R. C. because "Faith is an assent to Divine revelations upon the authority of the revealer," and therefore "is neither gotten nor lost, nor heresy incurred, by consequence[g]." Doth he not know, that whosoever believeth a revealed truth, doth of necessity believe all the evident con-

[b] [Answ. to Preface, sect. 2. pp. 35, 36.]
[c] [c. ix. sect. 6.]
[d] [Just Vindic., c. ii. vol. i. pp. 110, 111.]
[e] [Surv., c. ii. sect. 8. p. 31.]
[f] [Just Vindic., c. ii. vol. i. p. 111.]
[g] [Surv., c. ii. sect. 10, p. 40.]

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sequences of it? As he that believes that Christ is God, doth of necessity believe that He is eternal. And if he maintain that "*erat quando non erat*[h]"—"there was a time when He was not," he doth implicitly deny His Deity, and incur the crime of heresy. Hath he forgotten what their own doctors do teach, that 'a conclusion of faith may be grounded upon one proposition incvident' (that is, revealed) 'and another proposition evident[i]' (that is, not revealed but evident in itself)? The hypostatical union of the two Natures, Divine and human, in Christ, is a fundamental truth; that the Blessed Virgin is the Mother of God, that Christ had both a Divine and human will, are evident consequences of this truth, not expressly revealed: yet for denying the former Nestorius, for denying the latter the Monothelites, were condemned as heretics.

[Third and fourth ways.]

Thirdly, heresy may be incurred by obstinate persisting in lesser errors, after a man is convicted in his conscience that they are errors, either out of animosity—because he scorns to yield, or out of covetous, ambitious, or other sinister ends. And, lastly, heresy is incurred by a froward and peevish opposition to the decrees of a general Council, to the disturbing of the peace and tranquillity of the Church[k].

Against these two last ways of incurring heresy, R. C. saith nothing directly, but upon the by he taxeth me of two errors.

First, that I "say, 'No Council can make that a point of Faith, which was not ever such[l].'"

1. The power of general Councils.

We agree in this, that no Council can make that a fundamental, which was not a fundamental, nor make that a revealed truth, which was not a revealed truth. I acknowledge further, that a general Council may make that revealed truth necessary to be believed by a Christian as a point of Faith, which formerly was not necessary to be believed; that is, whensoever the reasons and grounds produced by the Council, or the authority of the Council (which is, and always ought to be, very great with all sober discreet Christians), do

[h] ["Ην ποτὲ ὅτε οὐκ ἦν," was one of the original Arian dogmas. Socrat., Hist. Eccles., lib. i. c. 5.]

[i] Bellarm., De Eccles. Milit., lib. iii. c. 15. [Op., tom. i. p. 1281. D.]

[k] [Just Vindic., c. ii. vol. i. p. 111.]

[l] [Surv., c. ii. sect. 8. p. 32, from Just Vindic., ibid.]

convince a man in his conscience of the truth of the Council's definition. In doubtful questions, if there be no miscarriage, no packing of votes, no fraud used in the Council, like that in the Council of Ariminum for receiving "Christ" and rejecting "*homoousios*[m]," and if the determination be not contrary to the tradition of the Church, who would not rather suspect his own judgment, than a general Council's? I confess yet further, that, when a general Council hath determined any controversy, no man may oppose its determination, but every one is bound to acquiesce and possess his soul in patience, though he be not convicted in his conscience of the truth of their sentence. And if any man out of peevishness or stubbornness shall oppose their definition to the disturbance of the peace and tranquillity of the Church, he deserves to be punished as a heretic.

174 Then wherein lies the difference? First, in R. C. his misreciting my words according to his ordinary custom. I said only this, that a Council could not "make that proposition heretical in itself, which was not ever heretical," nor "increase the necessary articles of the Christian Faith either in number or substance." What I said is undeniably true. First, "in itself," that is, in its own nature, without any reference to the authority of a Council. And, "necessary articles of the Christian Faith," that is, absolutely and simply necessary for all Christians. If the proposition were heretical in itself, then they that held it before the Council were heretics, as well as they who hold it after the Council. And that is a necessary article of the Christian Faith, without the actual belief whereof Christians could never be saved.

The Pope's confirmation adds nothing to general Councils.

This is sufficient to answer his objection. But for the reader's satisfaction I add moreover, that the Romanists believe a general Council, not only to be fallible without the concurrence and confirmation of the Pope (whose privilege and prerogative the most of them do make the sole ground of the Church's infallibility), but also without his concurrence to have often erred actually; but with the concurrence and confirmation of the Pope, they make the determination of a general Council to be infallible. On the other side we know

[m] [A. D. 359. Ruffin., Hist. Eccles., lib. x. c. 21.—August. (?), Opus Imperf. cont. Julian., lib. i. c. 76, tom. x. p. 919. F.—Hieron., Adv. Lucifer., tom. iv. P. ii. pp. 299—301.]

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no such infallibility of the Pope, but the contrary. After Stephen had taken up the body of Formosus his predecessor out of his grave, spoiled him of his pontifical attire, cut off his two fingers, and cast his body into Tiber, it "became an usual thing with the following Popes, either to infringe or abrogate the acts of their predecessors[n]." Neither was this act of Stephen an error merely "in matter of fact[o]," but principally in matter of Faith,—that the Episcopal character is deleble. We know no such confirmation needful, nor of any more force than the single vote of a prime Bishop of an Apostolical Church. And therefore we give the same privileges to a Council unconfirmed (which they acknowledge to be fallible) and to a Council confirmed by the Pope. We have no assurance that all general Councils were and ever shall be so prudently managed, and their proceedings always so orderly and upright, that we dare make all their sentences a sufficient conviction of all Christians, which they are bound to believe under pain of damnation. If R. C. be not of my mind, others of his own Church have been, and are at this day; whom I forbear to cite, because I presume it will not be denied. In sum, I know no such 'virtual' Church as they fancy. Antiquity never knew it. I owe obedience (at least of acquiescence) to the 'representative' Church; and I resolve for ever to adhere (to the best of my understanding) to the united communion of the whole 'essential' Church, which I believe to be so far infallible, as is necessary for attaining that end, for which Christ bestowed this privilege, that is, salvation.

Neither let him think that I use this as an artifice, or subterfuge, to decline the authority of general Councils. I know none we need to fear. And I do freely promise to reject the authority of none that was truly general, which he shall produce in this question. As for Occidental Councils, they are far from being general.

2. Acquiescence to the decrees of a general Council is necessary.

My other supposed error is, that I say, that "though a Christian cannot assent in his judgment" to every decree of a general Council, yet "he ought to be silent," and possess his soul in patience:—that is, until God give another oppor-

[n] Platin., [in Vitâ Stephani VI., p. 136, 2.]

[o] [Bellarm., De Roman. Pontif., lib. iv. c. 12, Op. tom. i. p. 999. D.]

tunity, and another Council sit, wherein he may lawfully with modesty and submission propose his reasons to the contrary. This (he saith) is to "bind men to be hypocrites and dissemblers in matter of religion, and by their silence to suppress and bury Divine truth," and brings them within the compass of St. Paul's woe; "Woe be unto me, if I evangelize not[p]." Excellent doctrine, and may well serve for a part of the rebels' Catechism. Because my superior is not infallible, if I cannot assent unto him, must I needs oppose him publicly, or otherwise be guilty of hypocrisy and dissimulation? If he shall think fit in discretion to silence all dispute about some dangerous questions, am I obliged to tell the world, that this is "to suppress or bury Divine truth?" If he shall by his authority suspend a particular pastor from the exercise of his pastoral office, must he needs preach in defiance of him, or else be guilty of St. Paul's woe, "Woe be unto me, because I preach not the Gospel?" I desire him to consult with Bellarmine;—"All Catholics do agree, that if the Pope alone, or the Pope with a particular Council, do determine any controversy in religion,—whether he can err, or whether he cannot err,—he ought to be heard obediently of all Christians[q]." May not I observe that duty to a general Council, which all Roman Catholics do pay to the Pope? or is there a less degree of obedience than passive obedience? Certainly these things were not well weighed.

Discourse III.

1 Cor. ix. [16.]

SECTION THE NINTH.

Where I say, that "by the Church of England in this question I understand that Church, which was derived by lineal succession from British, English, and Scottish Bishops, by mixed ordination, as it was legally established in the days of Edward the Sixth, and flourished in the reigns of Queen Elizabeth, King James, and King Charles; and now groans under the heavy yoke of persecution[r]," to let us see what a habit of alteration is, he excepts against every word of this.

[What is meant by the Church of England.]

First, against the "lineal succession," because 'none of

[p] [Surv., c. ii. sect. 8. pp. 32, 33.]
[q] Bellarm., De Rom. Pontif., lib. iv. c. 2. [Op. tom. i. p. 951. D.]
[r] [Just Vindic., c. ii. vol. i. p. 113.]

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these ancient Bishops taught justification by faith alone[s].' This is an argument from the staff to the corner. I speak of a succession of Holy Orders, and he of a succession of opinions. And when the matters come to be searched to the bottom, he will be found at a default here also. Those ancient Bishops held the same justification by faith that we do.

[Lineal succession.]

Mixed ordination.

In the next place, he excepts against "mixed ordination," as "partly Papistical, partly Protestantical[t]." He errs the whole heaven's breadth from my meaning. Before Austin preached to the Saxons, there were in Britain ancient British Bishops, and ancient Scottish Bishops, who had their several lines of succession, to which Austin added English Bishops, and so made a third succession. These three were distinct at first, but afterwards, in tract of time, they came to be mixed and united into one succession; so as every English Bishop now derives his succession from British, Scottish, and English Bishops. This is the great bug-bear of mixed ordination.

[Edward the Sixth's childhood.]

He tells us, that King Edward the Sixth was "a child[u]." He mistakes. Kings are never children nor minors whilst they have good tutors and good councillors. Was he more a child than King Jehoash? and yet the Church was reformed during his minority. This was no childish act, thanks to Jehoiada, a good uncle and protector.

[2 Kings xi, xii.]

The English Church lawfully established.

He demands, how that Church "was legally established in King Edward's days, which was established contrary to the liking of the most and best of the Bishops, whereof divers were cast in prison for not assenting to the erecting of it[x]?" And I ask how it was not legally established, which was established by sovereign authority, according to the direction of the Convocation, with the confirmation of the Parliament? What other legal establishment can there be in England? By the laws of England a Bishop had but his single vote, either in Parliament or Convocation. Some Bishops were prisoned indeed, but neither "the most" nor "the best" of the English Bishops; whether for not assenting, or for other reasons, will require further proof than his bare assertion.

[s] [Surv., c. ii. sect. 9. p. 34.]
[t] [Ibid., p. 35.]
[u] [Ibid., p. 34.]
[x] [Ibid., sect. 10. p. 41.]

This is certain, that every one of them had freely renounced the Pope and Papacy in the reign of Henry the Eighth.

Not lawfully suppressed.

He saith I should have added, that Church which was "suppressed by the last Parliament, under King Charles[y]." Why should I add a notorious untruth, as contrary to my conscience as to my affections? I might have said *op*pressed, I could not say *sup*pressed. The external splendour was abated, when the baronies of the Bishops and their votes in Parliament were taken away, but the order was not extinguished. So far from it, that King Charles himself suffered as a martyr for the English Church. If his meaning be, that it was suppressed by an ordinance of one or both Houses without authority royal, he cannot be so great a stranger in England, as not to know that it is without the sphere of their activity.

The English Church not dead.

Yet he is pleased to style it a "dead" Church, and me 'the advocate of a dead Church[z];'—even as the trees are dead in winter, when they want their leaves; or as the sun is set, when it is behind a cloud; or as the gold is destroyed, when it is melting in the furnace. When I see a seed cast into the ground, I do not ask where is the greenness of the leaves? where is the beauty of the flowers? where is the sweetness of the fruit? but I expect all these in their due season. Stay awhile, and behold the catastrophe. The rain
176 is fallen, the wind hath blown, and the floods have beaten, upon their Church; but it is not fallen, for it is founded upon a rock. The light is under a bushel, but it is not extinguished. And if God in justice should think fit to remove our candlestick, yet the Church of England is not dead, whilst the Catholic Church survives.

[Matt. vii. 25.]

[Matt. v. 15.]

But under persecution.

Lastly, he denies that the English Church is "under persecution;" and though "some" of the Church do suffer, yet it is "not for religion but matters of state[a]." What can a man expect in knotty questions from them, who are so much transported with prejudice, as to deny those things which are obvious to every eye. If it be but "some" that have suffered, it is such a "some" as their Church could never shew;

[y] [Ibid., sect. 9. p. 34.]

[z] [Ibid., p. 36. and p. 41. The latter clause does not appear to be in the Survey.]

[a] [Ibid., p. 35.]

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wherein he that desires to be more particularly informed, may read the Martyrology of London, or the list of the Universities[b], and from that paw guess at the proportion of the lion. But perhaps all this was for "matters of state." No; our Churches were not demolished upon pretence of matters of state, nor our ecclesiastical revenues exposed to sale for matters of state. The refusal of a schismatical covenant is no matter of state. How many of the orthodox clergy, without pretence of any other delinquency, have been beggared? How many necessitated to turn mechanics or day-labourers? How many starved? How many have had their hearts broken? How many have been imprisoned? How many banished from their native soil, and driven as vagabonds into the merciless world? no man is so blind, as he that will not see.

SECTION THE TENTH.

[Saint Augustine's touchstone of Catholicism.]

His tenth section is a summary or repetition of what he hath already said, wherein I find nothing of weight that is new, but only one authority out of St. Austin, that "Catholics are every where, and heretics every where; but Catholics are the same every where, and heretics different every where[c]." If by "Catholics" he understand Roman Catholics, they are not every where; not in Russia, nor in Æthiopia, and, excepting some handfuls, for the most part upon toleration, not in any of the Eastern Churches. The words of St. Austin are these;—*"Ubicunque sunt isti, illic Catholica, sicut in Africâ ubi et vos; non autem ubicunque Catholica est, aut vos estis, aut hæresis quælibet earum"*—"Wheresoever they are, there is the Catholic Church, as in Africa where you are; but wheresoever the Catholic Church is, you are not, nor any of those heresies[d]." St. Austin's scope is to shew, that the Catholic Church is more diffused, or rather universal, than any sect, or all sects put together. If you please, let this be the touchstone between you and us. But you will say, that

[b] [See the "General Bill of Mortality of the Clergy of London who have been imprisoned," &c., "for these last years," at the end of c. 6. of "Persecutio Undecima" or a "Brief of the Fanatick Persecution of the Protestant Clergy," &c., "begun 1641, printed 1648," and reprinted 1681: and for "lists of the Universities," Walker's Suffer. of the Clergy, P. ii. pp. 97, &c.]

[c] [Surv., c. ii. sect. 10. p. 38.]

[d] Cont. Crescon., lib. iv. c. 61. [§ 75, tom. ix. p. 521. D.]

you are united every where, and we are different every where. Nothing less. You are united in one pretended head, which some of you acknowledge more, some less. We are united in the same Creed, the same Sacraments, and for the most part the same discipline. Besides, of whom doth St. Austin speak in that place? Of the "Novatians, Arians, Patripassians, Valentinians, Patricians, Apellites, Marcionites, Ophites[e];" all which condemned all others but themselves, and thereby did separate themselves schismatically from the Catholic Church; as it is to be feared that you do. Our case is quite contrary. We reform ourselves, but condemn no others.

CHAP. III.

WHETHER PROTESTANTS WERE AUTHORS OF THE SEPARATION FROM ROME.

SECTION THE FIRST.

Protestants not authors of the schism.

We are now come from stating the question to proofs, where we shall soon see how R. C. will acquit himself of the province which he hath undertaken. To shew, that Protestants were not the authors of the separation from Rome, but Roman Catholics, I produced,—first, the solemn unanimous resolution of our Universities in the point, "that the Bishop of Rome had no greater jurisdiction within England
177 conferred upon him by God in the Scripture, than any other foreign Bishop;" secondly, the decrees of two of our national synods; thirdly, six or seven statutes, or Acts of Parliament; fourthly, the attestation of the prime Roman Catholic Bishops and clergy, in their printed books, in their epistles, in their sermons, in their speeches, in their institutions; fifthly, the unanimous consent of the whole kingdom of England, testified by Bishop Gardiner; and of the kingdom of Ireland, proved out of the Council-Book; lastly, the Pope's own book, wherein he interdicted and excommunicated the whole Church of England, before the Reformation

[Scil. Bull. Paul. III. A.D. 1538.]

[e] [Ibid.]

PART I. made by Protestants, so as apparently we were chased away from them[f]. Hear the judgment of a stranger;—"This year the Pope brake the wise patience, or rather dissimulation, which for four years together he had used towards England; and sent against the king a terrible thundering Bull, such as never was used by his predecessors, nor imitated by his successors[g]." It will cost him some tugging to break such a six-fold cord as this is. What doth he answer to all this? Not one word. And so I take my first ground '*pro confesso*,' that Protestants were not authors of the separation of the English Church from Rome.

SECTION THE SECOND.

[The authors of the separation Romanists in all other controversies but that of the Pope's supremacy.]

Yet something he saith upon the by, which is to be examined first;—that they "who made the king Head of the Church, were so far from being 'zealots of the Roman religion[h],' that they were not then of the Roman religion, . . . but schismatics and heretics outwardly, whatsoever they were inwardly[i]." What a change is here! Even now, when they opposed the Reformation, they were "the best Bishops:" and now, when they oppose the Pope's supremacy, they are "schismatics and heretics." Let them be what they were, or whatsoever he would have them to be, certainly they were no Protestants. And if they were not Roman Catholics, they were of no Christian communion. They professed to live Roman Catholics, and they died Roman Catholics. The six bloody Articles contrived by them and executed by them in the reign of King Henry, and the bonfires which they made of poor Protestants in the days of Queen Mary, do demonstrate, both that they were no Protestants, and that they were "zealots of the Roman religion."

But (saith he) "the essence of the Roman religion doth consist in the primacy of the Pope[j]." If it be so, then, whereas the Christian religion hath twelve articles, the Roman religion hath but one article, and that none of the

[f] [Just Vindic., c. iii. vol. i. pp. 114—122, 129.]

[g] [Pad. Paolo,] Hist. Concil. Trident., an. 1538. [bk. i. p. 86. ed. 1620.]

[h] [Just Vindic., as before quoted, p. 114.]

[i] [Surv., c. iii. sect. 2. p. 43.]

[j] [Ibid.]

twelve, namely, 'the supremacy of the Pope.' But this needs make no difference between us; for they denied not the Pope's "*primacy*," that is, of order, but his *supremacy* of power. Neither is his supremacy either the essence, or so essential a part, of the Roman Catholic belief, but that many of the Roman Catholic communion have denied it of old, as the Councils of Constance and Basle and many do deny it, and more doubt of it, at this day. But let that be as it will. In all other controversies they were pure Romanists, and the denomination is from the greater part. Certainly they were no Protestants, which is enough for my purpose.

The Parliament not compelled.

He tells us from Bishop Gardiner, that "the Parliament was with much cruelty constrained to abolish the primacy" (he means supremacy) "of the Bishop of Rome[k]." A likely thing indeed, that a whole Parliament, and among them above fifty Bishops and Abbots[l], should be forced, without any noise, against their conscience, to forswear themselves, to deny the essence of their Faith, and (to use his own words) to turn "schismatics and heretics." How many of them lost their lives first? Not one. Not one changed his soil,' not one suffered imprisonment, about it. For howsoever the matter hath been misconstrued by some of our historiographers, Bishop Fisher and Sir Thomas More were imprisoned before this Act of the supremacy was made, for denying the king's marriage, and opposing a former Act of Parliament, touching the succession of his children to the crown[m]. Thus much is confessed by Sanders in his book "*De Schismate*," p. 73. *b*. concerning Fisher[n], and p. 81. concerning Sir Thomas More[n]; —"*Quæ lex post Mori apprehensionem constituta erat*"—"The law" (of supremacy) "was made after the apprehension of Sir Thomas More." Of this "much cruelty," I do not find so much as a threatening word, or a footstep, except the fear of a *præmunire*. And is it credible, that the whole representative of the Church and kingdom should value their goods above their souls? Or that two successive synods,

[k] [Ibid., from Gardiner's examination of Rogers, A.D. 1555, in Foxe, Acts and Monum., bk. xi. vol. iii. p. 99.]

[l] [But see the Just Vindic., c. ii. vol. i. p. 114. note u.]

[m] [See also the Just Vindic., ibid., p. 121. note x.]

[n] [Colon. 1585. pp. 107, and 125, ed. 1610. See also, for Bp. Fisher, his Life by his Chaplain (R. Hall, Lond. 1655, publ. under the name of Bayley), quoted by Hammond, Answ. to Schism Disarmed, c. vi. sect. 1.]

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Bishop Gardiner.

[o] [Abp. Warham's words;—see the Just Vindic., ibid., page 120. note u.]

[p] Camd., Annal. Elizab., an. 1559. [P. i. pp. 27, 28.]

[q] [De Verâ Obedientiâ, in Append. ad Fascic. Rer. Expetend. et Fugiend., pp. 812, 817.]

not this he that had so great an hand in framing the oath of supremacy, and in all the great transactions in the latter days of King Henry? Was not he one of them who 'tickled the king's ears with sermons against the Pope's supremacy[r]?' who was a contriver of the six bloody Articles against the Protestants, and was able by his power with the king to bring the great favourite of those times to the scaffold for heresy and treason? To conclude, if any thing did constrain him, it was either the Bishopric of London or Winchester; or, which I do the rather believe out of charity, the very power of conscience. So much himself confesseth in the conclusion of his book *De Verâ Obedientiâ*, where he proposeth this objection against himself, that "as a Bishop" he had "sworn to maintain the supremacy of the Pope;" to which he answers, that "what was holily sworn is more holily omitted, than to make an oath 'the bond of iniquity[s].'" He confesseth himself to have been married to the Church of Rome "*bonâ fide*," as "to his second wife," but 'after the return of his first wife (that is the truth, to which he was espoused in his baptism), being convicted with undeniable evidence, he was necessitated out of conscience to forsake the Church of Rome in this particular question of supremacy, and to adhere to his first wife the truth, and after her to his prince, the supreme Head of the English Church upon earth[t].'

Discourse III.

[Acts viii. 23.]

[Three persons named by R. C. as Protestant authors of the separation.]

His next attempt is to prove, that the Protestants were the authors of the separation from Rome; and he names three, Cranmer, Cromwell, and Barnes. He might even as well say, that two or three common soldiers of the Carthaginian army (and perhaps not one of them at the fight) were the authors of the Roman overthrow at Cannæ. It was the Universities that approved the separation unanimously. It was the synods that directed the separation. It was the king that established the separation. It was the Parliament that confirmed the separation. How could two or three privadoes, without necromancy, have such an efficacious influence upon the Universities, and synods, and Parliaments,

[r] Speed, [Chron.,] in Henry VIII. c. 21. n. 105. [Speed only says, that he "instigated jealousies daily into the King's ear" against the Queen, Anne of Cleves.]

[s] De Verâ Obedientiâ, in fine; [as above quoted, p. 818.]

[t] [Ibid., pp. 819, 820.]

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and the king himself? Yet they might have a hand in it. No, nor so much as a little finger. As much as the fly, that sat upon the cart-wheel, had in raising of the dust. The two Houses of Parliament alone did consist of above six hundred of the most able and eminent persons in the kingdom. What had these three been able to do among them, supposing they had been then Protestants, and of the House? Even as much as three drops of honey in a great vessel of vinegar, or three drops of vinegar in a great vessel of honey.

Archbishop Cranmer.

But let us see what it is, which he objects against Cranmer 179 and the rest;—that Cranmer, whom I "will not deny to have been a friend and favourer of Protestants," advised "that the king should seek no more to the Court of Rome;" and that, "bidding adieu to the Court of Rome, he should consult with the most learned in the Universities of Europe," at home and abroad[u]. There was no hurt in all this. There could be no suspicion, that "the most learned in all the Universities of Europe" should be enemies to the just rights of the Roman Court. "But upon this" (saith he) "it was by commission disputed by the divines in both Universities[x]." And so he concludes triumphantly, "Behold! Cranmer the first author of secession from the Pope." I answer, that this secession was no secession of the Church of England; nor this disputation any disputation concerning the jurisdiction of the Roman Court over the English Church, but only concerning a particular process, there depending between King Henry and Queen Catherine, about the validity or invalidity of their marriage, and the Pope's dispensation, which Cranmer maintained to be determinable by Divine law, not by canon law. The truth is this; Dr. Stephens and Dr. Fox, two great ministers of King Henry, and Dr. Cranmer, chanced to meet without any design at Waltham, where, discourse being offered concerning this process, Cranmer freely declared his judgment, that the marriage of a brother with his brother's wife was unlawful by the law of God, and that the Pope could not dispense with it; and that it was more expedient and more proper to seek to have this cause determined by the best divines and Universities of Europe, than by the dilatory pro-

[u] [Surv., c. iii. sect. 2. p. 44; from Godwin, De Præsul., in V. Cran., p. 196.]

[x] [Ibid., from Foxe, Acts and Monum., (bk. viii. vol. ii. p. 271.) ed. 1684.]

ceeding of the Roman Court. This was related to the king. The king sent for Cranmer. He offered freely to justify it before the Pope[y]. And to demonstrate both that this was no separation from Rome and that Cranmer himself was no Protestant at that time, it is acknowledged by all our historiographers, that after this Cranmer with others was sent as an ambassador or envoy to Rome, and returned home in the Pope's good grace, not without a mark of his favour, being made his Penitentiary[z]. Likewise, saith another, "Cranmer, that unworthy Archbishop of Canterbury, was his" (the Earl of Hertford's) "right hand, and chief assistant in the work, although but a few months before he was of King Harry's religion; yea, a" great "patron and prosecutor of the six Articles[a]:"—that is as much as to say, no friend, no favourer, of Protestants. So this victorious argument fails on both sides. Some other places he citeth concerning Cranmer;—that he "freed the king's conscience from the yoke of Papal dominion[b]," that is to say, in that process; that "by his counsel . . . destruction was provided Divinely to the Court of Rome[c]," that is, occasionally, and by the just disposition of Almighty God; that "the king was brought by Cranmer's singular virtue to defend the cause of the Gospel[d]," that is, in that particular case; that the Pope cannot dispense contrary to the law of God; and, lastly, that "the Papal power being discovered by King Henry's authority and Cranmer's, did easily fall down[e]." I much doubt, if I had the book, whether I should find these testimonies such as they are cited. Howsoever, it may be true *distinguendo tempora* and *referendo singula singulis*. They could not be spoken of the first separation, when Cranmer had no more authority than a private

[y] Speed, [Chron.] in Henry VIII. [lib. ix. c. 21. numm. 78, 79.]—Baker, [Chron.] in H. VIII. [p. 299. F. G. ed. 1658.—Antiq. Brit. Eccl., in V. Warham., p. 322.]

[z] Speed, [ibid. num. 79.]

[a] Image of Both Churches [Hierusalem and Babel, by P.D.M.], second edition [Lond. 1653]., p. 413.—[So also] Sander., De Schism., p. 115. ed. 1585. [p. 229. ed. 1610.] "Sacrificio Missæ interfuit quotidie" 'dum regnabat Henricus.'

[b] [Antiq. Brit. Eccl., in V. Warham., p. 323, speaking of the Papal supremacy and the king's divorce;—quoted by R. C., Surv., c. iii. sect. 2. p. 44. This and the three following quotations are verbally accurate.]

[c] [Ibid., p. 324. quoted by R. C. ibid.]

[d] [Ibid., in V. Cranmer., p. 338, quoted by R. C. ibid. But this passage will not admit Bramhall's gloss. It refers however to the latter part of Henry's reign.]

[e] [Ibid., p. 329, quoted by R. C. ibid.]

PART I. doctor, but of the following times. King Henry suppressed the Papal tyranny in England by his legislative power, and Cranmer by his discovery of their usurpations and care to see the laws executed.

Cromwell. Against Cromwell he produceth but one testimony,—that "it was generally conceived, and truly (as never thought) that the politic ways for taking away the Pope's authority in England, and the suppression of Religious Houses, were principally devised by Cromwell[f]."

First, this is but an argument from vulgar opinion. Secondly, when Archbishop Warham and the synod did first give to King Henry the supremacy and the title of Head of the English Church, Cromwell was no Protestant. He had lately been Cardinal Wolsey's solicitor, and was then Master of the Jewel-House, of no such power to do any great good or hurt to the Protestants. And at his death he professed, that he was no Sacramentary, and that he died in the Catholic Faith[g].

But for the suppression of Religious Houses, it is not improbable. He might well have learned that way under 180
Cardinal Wolsey, when he procured the suppression of forty monasteries of good note for the founding of his two Colleges at Oxford and Ipswich[h]: in which business, our historians say, the Pope licked his own fingers to the value of twelve barrels full of gold and silver.

Barnes. Lastly, for Dr. Barnes, poor man, he was neither courtier, nor councillor, nor convocation-man, nor Parliament-man. All the grace, which ever he received from King Henry, was an honourable death for his religion. 'He said,' that he,' and "such other wretches as he," had "made the king a whole king[i]," by their sermons. If they did so, it was well done.

[f] [Weever's Funer. Monum., p. 101. Lond. 1631, quoted by R. C. ibid. For "as never thought," Weever's words are "as I think."]

[g] Lord [Herbert of] Cherbury, in Hen. VIII., anno 1540, [pp. 458. 462.]—Holinsh., [Chron.,] an. 32. Hen. VIII. fol. 242. [p. 941. b. Lond. 1587.]

[h] [Stow, Chron., in Hen. VIII. p. 523. B. See Strype, Eccl. Memor., in Hen. VIII. vol. i. Pt. i. pp. 169—171. Oxf. 1822, and Append. nos. xxviii. xxix; and the Letters Patent and Bulls in Rymer's Fœd., tom. xiv. pp. 155, &c. 291, &c. The story of the gold and silver is in Foxe (Acts and Mon., bk. viii. vol. ii. p. 197), but has no connection with the founding of Wolsey's Colleges.]

[i] [Foxe, Acts and Monum., bk. viii. vol. ii. p. 444; quoted by R. C., Surv., c. iii. sect. 2. p. 46.]

The meaning of "a whole king," is "a Head of the Church," saith R. C.[k] It may be so, but the consequence is naught. Perhaps he meant a sovereign independent king, not feudatory to the Pope; which he that is, is but half a king. Not only of old, but in later times, the Popes did challenge a power paramount over the kings of England within their own dominions; as appeareth by the Pope's Bull, sent to James the Fifth, king of Scotland, wherein he declareth, that he had "deprived King Henry of his kingdom," as "a heretic, a schismatic, an adulterer, a murderer, a sacrilegious person;" and, lastly, "a rebel and convict of *læsæ majestatis*, for that he had risen against him" (the Pope) "who was his lord[l]."

But now, supposing all R. C. his suggestions had been true, —that Cranmer and Cromwell had been Protestants at that time, and had been in as much grace, and had had the like opportunity of address to the king, as they had afterwards; that Cranmer had persuaded the king as a divine, and Cromwell as a politician, to separate from the Court of Rome; and that Barnes had preached against the Pope's supremacy,—yet this is far from the authoritative separation of the whole Church and kingdom from the Court of Rome. Moral persuasions may incline, but cannot necessitate, the will.

[SECTION THE THIRD.]

[Roman Catholics admitted by R. C. to be the authors of the separation.]

Therefore, not confiding to these broken reeds, at length he admits, that Roman Catholics were the authors of the separation;—"Be it so, that Roman Catholics were the authors of the division;... that is worse for Protestants," because "then Protestants continue a wicked schism, wickedly begun, against conscience, against known truth, and consequently a sin against the Holy Ghost[m]." And to make his assertion good, he produceth the authority of Optatus: "It appeareth evidently that you are the heirs of schismatics." He who reads this would believe, that Optatus spake posi-

[k] [Surv., ibid.]
[l] Speed, [Chron., in Hen. VIII.,] lib. ix. c. 21. [num. 84.]
[m] [Surv., c. iii. sect. 3. pp. 46, 47.]

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tively of Protestants, when he speaks only of Donatists; "*Cum hæc ita gesta esse manifestissimè constet, et vos hæredes esse traditorum et schismaticorum evidenter appareat*"—"Seeing it is most evident, that these things did fall out thus," that is, that Majorinus (whose chair Parmenianus did now possess) did divide himself from the communion of Cæcilianus, and set up a chair against a chair in the same Church, or a new chair, "*quæ ante ipsum Majorinum originem non habebat*," and seeing Majorinus was a traditor and a schismatic, "it appears evidently" that Parmenian was the "heir of a schismatic[n]." Now what doth this concern us? The Donatists set up a new chair against an old chair in the same Church; we have done no such thing. God make us able to keep up the old. Secondly, the Donatists separated themselves from all other Churches; we separate ourselves from no Churches, neither from the chair of Cæcilian, nor of Peter, nor of Cyprian. But if we would know, not only who are the heirs of the Donatists, but who are their heirs in their schism, we may find them easily. It is the Roman Catholics themselves. First, in their uncharitableness, in breaking the bond of brotherly unity. The Catholics owned the Donatists for their brethren, but the Donatists refused to own the Catholics for their brethren,—"*Quamvis et illi non negent, et omnibus notum sit*," &c.—"Although they deny it not, and it is known to all men, that they hate us, and accurse us, and will not be called our brethren, yet" &c. "without doubt they are our brethren[o]:" and a little after, "And because they will not have the Episcopal College common with us, let them not be our fellow Collegians, if they will not; yet, as I said before, they are our brethren[p]." This is just the case between them and us; we offer them the right hand of brotherhood, as the Catholics did to the Donatists, but they refuse it, as the Donatists did to the Catholics. Secondly, the Donatists separated the whole Catholic Church from their communion, and substituted themselves, being but a small part of the 181
Christian world, in the place of the Catholic Church. Just as the Romanists do at this day. Optatus speaks home unto

Papists are the right heirs of the Donatists, not Protestants.

[n] Optat., Cont. Parmenian., lib. i. [c. 10.]

[o] Optat., Cont. Parmen., lib. i. in initio. [c. 3.]

[p] [Id., ibid., c. 4.]

them, both the old and new Donatists. "*Si pro voluntate vestrâ in angustum coarctatis Ecclesiam*," &c.—"If ye for your pleasure do thrust the Church into a strait, if ye substract all nations, where is that which the Son of God hath merited? where is that which the Father hath given Him? 'I will give Thee the heathen for Thine inheritance, and the uttermost parts of the earth for Thy possession.' Why do you infringe this promise? or imprison this universal kingdom?" &c. "Suffer the Son to possess His Father's gift. Suffer the Father to fulfil His promise. Why do you set bounds and limits? . . . And still ye endeavour to persuade men that the Church is only with you[q]." Let the reader judge who are the right heirs of the Donatists. Discourse III. — — — Ps. ii. [8.]

The rest of his discourse is a groundless asking of the question. First, those Roman Catholics did make no "separation from the Roman Church[r]," but from the Roman Court. Secondly, they separated from the Roman Court only in its innovations, without criminous schism. Thirdly, we cannot, we dare not, be so uncharitable as to judge that the whole kingdom and all the pastors of the Church did sin "against their conscience[s];" but we believe firmly, that it was the clear light and evidence of truth, that made them so unanimous in their separation. Fourthly, though they had sinned "against the known truth," not being done of malice, it was not "the sin against the Holy Ghost[t]." St. Peter did not sin against the Holy Ghost when he denied Christ. Fifthly, though they had sinned "against conscience" in separating, yet, the fault being not in the thing done but in the conscience of the doer, we being better informed may with a good conscience hold, what they with a bad conscience did take away. Lastly, though they had sinned, not only in separating against conscience, but also in the very act of separation; yet we, who found the separation made to our hands, who never did any act either to oblige us to Rome or to disoblige us from Rome, holding what we received from our ancestors, and endeavouring to find out the truth, and ready to receive it whensoever God shall reveal it unto us, Roman Catholics sinned not against conscience in their separation.

[q] Optat., Cont. Parmen., lib ii. in initio. [c. 1.]
[r] [Surv. c. iii. sect. 3. p. 47.]
[s] [Ibid.]
[t] [Ibid.]

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are not censurable as schismatics, as I proved out of St. Austin [u], though R. C. be pleased to take no notice of it.

Henry the Eighth no Protestant.

Here he makes a short double and will needs have Henry the Eighth to have been "a substantial Protestant [x]." If he was a Protestant, doubtless he was a "substantial" Protestant. But why a Protestant? Doctor Barnes and many more, who were burned by him for Protestants, would hardly have believed it. But he saith, Henry the Eighth was an "Antipapist," and that "is sufficient" to make a Protestant [y]. If that be sufficient to make a Protestant, it is well; otherwise, one of his friends tells us, "We had a king who by his laws abolished the authority of the Pope, although in all other things he would follow the Faith of his ancestors [z]." Lately he told us, that the essence and "life and soul and definition of a Protestant" was to hold justification by faith alone [a]. Then Henry the Eighth was no Protestant, for he did not hold justification by faith alone. Now he makes the essence of a Protestant to be impugning the Pope's supremacy. I had not thought essences or definitions had been so mutable: but for my part I am glad of the change. If all Antipapists be Protestants, then all the Grecian, Armenian, Abyssene, Russian Christians are Protestants; then we shall not want Protestants to bear us company in the Church of Rome itself, so long as there are any followers of the Councils of Constance and Basle.

But some Protestants [b] have confessed, that he was "a member of the Catholic Church [c]." Why not? There are many "members of the Catholic Church" besides Protestants. Others call him a "true Defender of the true Faith [d]," a "defender of the Gospel [e]," an "embracer of the pure Gospel of Christ, rejecting devices of men contrary thereunto [f]."

[u] [Just Vindic., c. iii. vol. i. pp. 126, 127.]

[x] [Surv., c. iii. sect. 3. p. 48.]

[y] [Ibid., p. 49.]

[z] Gul. Alan. [i.e. Cardinal Allen], Apolog. [pro Sacerd. Soc. Jesu], c. iv. p. 59. [Aug. Trev. 1583.]

[a] [Surv., c. ii. sect. 7. p. 29.]

[b] [Viz. Humfrey, adv. Campian., Ratio iii. pp. 304, 305. Lond. 1584; and Fulke, ag. Heskins, Sanders, and Rastel, Confut. of Sand. on Worshipp. of Images, Answ. to Pref. § 78, p. 563. Lond. 1579: quoted by R. C., Surv., ibid.]

[c] [Surv., c. iii. sect. 3. p. 48. Compare] Sanders, De Schism., p. 103, b. ed. 1585. [p. 211. ed. 1610.] "Deniquenullâ [fere] in re a fide Catholicâ discessit" [(Henr. VIII.)] "nisi" [leg. "præterquam"] "libidinis et luxuriæ causâ."

[d] [Andrewes, Respons. ad Cardin. Bellarm. Apolog., c. i. in fine, p. 55. ed. 1610; quoted by R. C., Surv., ibid.]

[e] [Antiq. Brit. Eccl., in V. Cranmer., p. 338; quoted by R. C., Surv., ibid.]

[f] [Bucer., Comment. in Epist. ad Roman., Præfat. in init.; quoted by R. C., Surv., ibid.]

All this may be true, and yet they neither say nor intend this absolutely, but comparatively; not universally, but respectively to some particular controverted points, and principally this of the supremacy.

SECTION THE FOURTH.

A full justification of our penal laws.

I charged some for making the cruelty of the Protestants and the rigour of their laws the motives of their falling away from the English Church; and shewed, that more Protestants suffered, not only death but extreme torments in death, for religion, in the short reign of Queen Mary, than Roman Catholics in all the much longer reigns of all the Protestant princes since the Reformation; and that the kingdom of France and the commonwealth of Venice had made the like
182 laws to ours[g]. Whatsoever I say in our defence he takes no notice of, but declaims against the injustice of our laws and judges, not without a specious show of reason[h]. Wherefore, because it intrencheth upon the honour of our Church and nation, I will take the liberty to search this sore to the bottom.

[1. Noxious opinions not justly punishable, unless they are also noxious in the eye of the law.] [Rom. iv. 15.]

1. I confess, that no man or society of men can be justly punished (notwithstanding the brutish opinions of some persons), because they are noxious, unless they be noxious in the eye of the law. No, not by a legislative authority. Where a man cannot give sentence innocently, he cannot vote innocently. The reason is plain: "where there is no law, there is no transgression;" and where there is no transgression, there is no guilt, nor just punishment.

[2. Laws should not be made for the ruin of particular subjects.]

2. Secondly, I confess, that a law made like a casting-net, to throw over men's lives, is "*νόμος ἀνομώτατος*"—"a most lawless law." In the Twelve Tables, which Livy calls "the fountains of public and private right[i]," which "alone," said Tully, do "excel all the libraries of all the philosophers in the world[j]," it is thus enacted, according to the excellent concise simplicity of their style, "*Privilegia ne inroganto*"—"Let no private laws be made to any man's hurt or pre-

[g] [Just. Vindic., c. iii. vol. i. pp. 124—126.]
[h] [Surv., c. iv. sect. 4. pp. 49—53.]
[i] [Liv.,] lib. iii. [c. 34.]
[j] De Orator., lib. i. [c. 44.]

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judice[k]." Likewise it was the law of Solon, that "no law should be made of particular men[l]," "ἐὰν μὴ τὸν αὐτὸν ἐφ' ἅπασιν Ἀθηναίοις τιθῇ"—"unless it were imposed upon all the Athenians indifferently" (said Demosthenes[m]). For the same reason, when the Thebans had a mind to banish Heraclitus, they durst not name him, but pointed him out in general; "If there was any man in the city that never laughed and hated all mankind, let him depart before sunset[n];" thinking vainly to hide the nakedness of their law with a few fig-leaves of general expressions. So universally was this received throughout the world, that laws should not be made for the ruin of particular subjects.

[3. Many things lawful in public, which are not lawful in particular, justice.]

3. Thirdly, we must take notice, that many things are lawful in public justice, that is, in war or legislation or the like, which are not lawful in particular justice between subject and subject. As it is lawful to pull down any citizen's house, to save the whole city from fire; it is lawful to make use of any man's land, to make a bank to save the whole country from inundation: in which cases nevertheless the public is obliged to repair the subject's damage. Suppose the greater part of a city should force the honester part to submit to their pleasure and contribute to their rebellious courses, or force them to it, the party forced is innocent. Yet, in the recovery of the town, the honestest citizens are as subject to be slain, their houses to be burned, their goods to be plundered, as the most disloyal: and justly; for, it being lawful to reduce the city to obedience by war, this justifies all necessary means of reduction; and the honest party, who suffer without fault, cannot blame the magistrates for their sufferings, nor the soldiers who do their commands, but their fellow-citizens. But when this necessity is over, and the city is reduced, and distinction can be made, particular justice must take place again, and then none ought to suffer but delinquents, according to the degree of their delinquency.

[k] Leg. XII. Tab., [ap. Cic., De Legg., lib. iii. c. 4.]

[l] Œn. Gaz., in Theophrast., [ap. Biblioth. Patr., tom. v. P. iii. p. 630. B.]

[m] Cont. Aristocratem, [in fine, tom. i. p. 692. ll. 25, 26.]—Cont. Timocratem, [ibid. p. 705. ll. 20, 21. ed. Reiske.]

[n] [Heracliti Epist., p. 58. ed. Lubbin. For "Thebans," read "Ephesians."]

[4. Prohibitory laws, under whatsoever penalty, so it be proportionable to the danger, justified by necessity.]

4. Fourthly, to proceed one step nearer to the case in question,—the same necessity doth justify those laws which are enacted for the common safety and tranquillity of the whole body politic,—under whatsoever penalties they are pleased to impose, as banishment, confiscation of goods, imprisonment, or death itself, so they be proportioned to the exigence of the dangers greater or lesser,—though these laws prove burdensome to particular citizens, or restrain subjects from the exercise of those things which otherwise were beneficial, lawful, and laudable to them in particular. Suppose a general should make an edict, that no soldier, under pain of death, should leave the camp; yet one goes to visit his father being sick, and suffers for it: this is not for doing his filial duty, but for violating of his general's edict. In Ireland it was forbidden by statute, under pain of most severe punishment, to use the words Crum-a-bo and Butler-a-bo [o], because they were badges of faction, and incentives to sedition. The Philistines did not suffer a smith in Israel, [1 Sam. xiii. 19.] lest the Hebrews should make themselves swords and spears. The king of Spain, weighing the danger that might arise from the numerous multitudes of Moors within his dominions, sent them all packing away by an edict [p]. The Athenians thought it no injustice to banish their chiefest and most loyal citizens, if they feared a tyranny, or necessity of
183 state did require it. All nations have their embargoes, and prohibited goods, and forbid all commerce and conversation with those that are in open hostility against them. If a ship arrive from any places infected with some contagious disease, they keep the passengers from mixing with their subjects, until they have given sufficient proof that they are sound. If they find cause to banish a citizen, either for a prefixed term, or for ever, under pain of death, or forfeiture of all their goods, if there be a necessity in it to secure the commonwealth, they may do it. And if the persons so banished will return on their own heads, upon pretence that they love their country so well that they cannot live out of it; or if any of them being a clergyman should pretend that he returns out of conscience to do the offices of his function

[o] [Irish Stat., 10 Hen. VII., c. 20.]

[p] [Viz. Philip III. in 1609, 1610. See Geddes' Tracts, vol. i.]

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among his countrymen; it is not the law, but they, who pull the penalty of the law upon themselves. In sum, it is clear, that whensoever a prince or a republic, out of just necessity, and for the preservation of the commonwealth, shall restrain their subjects from any thing that threatens the same with imminent dangers, upon whatsoever penalty it be, so it be proportionable to the danger, it is just. And if the subject will not obey, his blood is upon his own head. The only question is, whether there was at that time not only a pretended but a real necessity to make those laws, which they call sanguinary or bloody, for the preservation of the commonwealth. This is the case between the Romanists and us; upon these two hinges this controversy is moved.

[There was a real necessity for the making of those laws.]

Then to leave the thesis, and come unto the hypothesis, and to shew that at that time there was a real necessity for the making of those laws.

[1. The ill-will of the Popes.]

First, let it be observed, that, after the secession of the English Church from the Court of Rome, the succeeding Popes have for the most part looked upon England with a very ill eye. Witness that terrible and unparallelled excommunication and interdiction of England, a[nd] deprivation of Henry the Eighth, formerly mentioned, published at Dunkirk, because they durst bring it no nearer[r]. Witness the Bull of anathematization and deprivation, by Pius the Fifth, against Queen Elizabeth and all her adherents, absolving all her subjects from their oaths of allegiance, without so much as an admonition preceding[s]. Witness the Pope's negotiations with the English, Spanish, French, and Portugueses, to have Queen Elizabeth taken away by murder and the frame of the government altered, published at Rome by Hieronymo Catena, secretary to Cardinal Alexandrino, in the time, and with the privilege, of Sixtus the Fifth[t]. Witness the legantine authority given to Sanders, and the hallowed banner sent with him and Allen, two Romish Priests, to countenance the Earl of Desmond in his rebellion[u]; and the phœnix plume

[r] [Bull. Paul. III. (A.D. 1538), ap.] Sand., De Schism., lib. i. [pp. 131, sq. ed. 1610. See Just Vindic., cc. iii. ix. vol. i. pp. 129, 257.]

[s] Camd., Annal. Eliz., lib. ii. p. 7. [P. ii. pp. 182 &c. in an. 1570. Lugd. Bat. 1639.]

[t] Idem, [ibid.,] lib. ii. p. 41. [P. ii. pp. 227—229. ed. 1639, in an. 1572. The Pope in question was Pius V.]

[u] Idem, [ibid.,] lib. ii. p. 98. [P. ii. pp. 302, 303, in an. 1579.]

sent to Ter Owen[x], to encourage him likewise in his rebellion, and a plenary indulgence for him and all his adherents and assistants, from Clement the Eighth[y]. Lastly, witness the two briefs sent by the same Pope to exclude King James from the inheritance of the crown of England, unless he would take an oath to promote the Roman-Catholic interest[z].

[2. The foreign seminaries for English Priests.]

This is not all. In the second place, the Popes, to have the greater influence upon England, did themselves found or conserve several Colleges or Seminaries of English Priests at Rome, at Rheims, at Douay; where the English youth were trained up more for the advantage of the Pope than of their prince and native country. What those principles were which were then infused into them, I have neither means at present, nor in truth desire, to inquire, because I hope that at this day they are disclaimed by all or the most learned and moderate persons of those societies; only, for the justification of my native country, give me leave to set down some of them in the words of the former learned historiographer;— "Suspicions also were daily raised by the great number of priests creeping more and more into England: who privily felt men's minds; spread abroad, that princes excommunicate were to be deposed; and whispered in corners, that such princes as professed not the Roman religion, had forfeited their title and regal authority; that those men which had entered into Holy Orders, were, by a certain ecclesiastical freedom, exempted from all jurisdiction of princes, and not bound by their laws, nor ought to reverence their majesty; and that the Bishop of Rome hath supreme authority and most full power over the whole world, yea, even in temporal matters; and that the magistrates of England were no lawful magistrates, and therefore not to be accounted for magis-
184 trates; yea, that all things whatsoever done by the Queen's authority, from the time that the Bull Declaratory of Pius Quintus was published, were by the laws of God and man altogether void, and to be esteemed nothing: and some of them dissembled not, that they were returned into England

[x] Idem, [ibid.,] lib. iv. p. 145. [P. iv. p. 744, in an. 1599.]
[y] [Idem, ibid.,] p. 150. [P. iv. p. 751, in an. 1600.]
[z] [Idem, ibid.,] p. 164. [P. iv. p. 771, in an. 1600.]

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with no other intent, than, ... by reconciling in confession, to absolve every one in particular from all oaths of allegiance and obedience to the Queen[a]." Judge how such emissaries deserved to be welcomed into a kingdom. More might be added, but this itself is enough or too much.

[3. The treasons of Papists in Queen Elizabeth's time.]

Lastly, view all the treasons and rebellions that were in Queen Elizabeth's time, and see from what source they did spring. Parsons proposed to Papists the deposing of the Queen, so far forth that some of them thought to have delivered him into the magistrates' hands[b]; and wrote a book, under the name of Doleman, to entitle the Infanta of Spain to the crown of England[c]. Of Sanders I have spoken formerly. Only let me add this, that when he was found dead, they found in his pouch "orations and epistles to confirm the rebels, with promise of assistance from the Bishop of Rome and others[d]." Parre confessed, that that which finally settled him in his treasonable purpose, to kill the Queen, was the reading of Allen's book, that princes excommunicated for heresy were to be deprived of life[e]. Ballard was himself a priest of the seminary of Rheims: see his conspiracy[f]. I pass by the commotions raised in Scotland by Bruce, Creighton, and Hayes[g]. Squire accused Walpole for putting him upon it to poison the Queen[h]. I speak not of the confession of John Nicholas, nor the testimony of Eliot, mentioned in their own Apology[i], because they are not of undoubted faith. This is most certain, that when Campian was interrogated before his death, "whether Queen Elizabeth were a lawful and rightful queen, he refused to answer;" and being asked, "if the Pope should send forces against the Queen, whether he would take part with the Queen or the Pope, he openly professed and testified under his hand, that

[a] Idem, ibid. lib. iii. p. 11. [P. iii. pp. 348, 349, in an. 1581.]

[b] [Idem, ibid., P. ii. p. 317, in an. 1580.]

[c] ["A Conference about the next Succession to the Crown of England," by R. Doleman, printed at N. 1594.]

[d] [Camd.,] ibid., lib. iii. p. 44. [P. iii. p. 372, in an. 1583. See above p. 112. note u.]

[e] [Id., ibid.,] lib. iii. p. 74. [P. iii. p. 394. in an. 1585. For "Parre" read "Parry."]

[f] Id., ibid., lib. iii. p. 132. [P. iii. pp. 433. sq. in an. 1586.]

[g] [Id., ibid., P. iv. p. 541, in an. 1589.]

[h] [Id., ibid., P. iv. pp. 726, 727. in an. 1598.]

[i] Apolog. Martyr., [in fin. Concert. Eccles. Angl.,] pp. 329 [—332. Aug. Trev. 1583.]

he would stand for the Pope[k]." The same author addeth, that his fellows, being examined in like manner, either refused to answer, or gave such "ambiguous" and "prevaricatory" answers, "that some ingenuous Catholics began to suspect that they fostered some treachery[l]."

Lay all these together, their disloyal answers, their seditious tenets, so many treacherous attempts, so many open rebellions, so many depositions and deprivations and exclusions, so many books brim-full of prodigious treason; at such a time—when the seditious opinions of that party were in their zenith; when seditious persons crowded over daily in such numbers; when the heir apparent of the crown of England was a Roman-Catholic: and let any reasonable man judge, whether the kingdom of England had not just cause of fear; whether they were not necessitated to provide "*ne quid detrimenti caperet respublica*"—"that the commonwealth should sustain no loss;" whether our statesmen who did then sit at the stern, were not obliged to their prince and to their country, to provide by all means possible for the security of their prince and tranquillity of their country, which could not be done at that time without the exclusion of such bigots and boutefeus from among them, nor they be possibly excluded but by such severe laws.

These are the very reasons given in the edict itself,—that "it did plainly appear to her Majesty and her Council, by many examinations, by their own letters and confessions, and by the actual conspiracies of the like persons sent into Ireland by the Pope, that the end and scope of sending them into her Majesty's dominions was to prepare the subjects to assist foreign invaders, to excite the people to rebellion, and to deprive her Majesty of her crown and dignity and life itself[m]."

Yet may we not accuse all for the faults of some. Though many of them who were bred in those seminaries, were pensioners of the Pope, the king of Spain, or the duke of

[k] Camd., Annal. Eliz., lib. iii. p. 11. [P. iii. p. 347. in an. 1581.]

[l] [Id., ibid., p. 348.]

[m] ["Edict. Regin., quo Jesuitæ et alii Sacerdotes denunciantur perduelles," anno] 23 Eliz., April 1, ex Apol. Martyr. [It is prefixed to Card. Allen's Apol. (p. 12.) which seems to have been published in the same vol. with the Apol. Martyr., Aug. Trev. 1583.]

PART I. Guise, all which at that time were in open hostility with the crown of England—(is it not lawful to forbid subjects to be bred in an enemy's country, or to turn their pensioners? or, if they do go out of themselves, to exclude them from their native soil?)—yet in other places, and it may be in those colleges also, many others preserved their principles of loyalty. At the same time Dr. Bishop, one of the Roman communion, writ a book to prove, that the constitution obtruded upon the world under the name of the Lateran Council, upon which the Pope's authority of deposing princes and absolving subjects from their allegiance is founded, was 185
not decreed by the Fathers, nor ever admitted in England, but was a private decree of Pope Innocent the Third[n]. If all his fellows had held the same moderation, there had been no need of such laws; but it is a remediless misery of societies, that, when distinction cannot be made between the guilty and the innocent, public justice (which seeks to prevent the common danger) looks upon the whole society with one eye. And if any innocent persons suffer, they must not blame the law, but their own fellows, who gave just occasion for the making of such severe laws.

So we see how many things here were of their own "election." First, they were warned by an edict not to study in those seminaries, which were founded and maintained by such as were at that time in public hostility with the crown of England. Nevertheless they would not do it. They were commanded to return home by a prefixed time. They would not do it. This alone had been sufficient to punish them as traitors by the ancient laws of the land. Yet further, they were commanded upon pain of death not to return into England nor to exercise their priestly functions there. Yet they did it. And one of them writ a letter to the Lords of the Council, that "he was come over, and would not desist until he had either turned them to be Roman-Catholics, or died upon their lances[o]."

[n] [This book was published after the author's death, and is entitled "A Courteous Conference with the Engl. Catholickes Romaine," &c. "wherein it is proved," . . . "that the Pope cannot depose her majesty or release her subjects of their allegiance to her; and finally that the Bull of Pius V. is of no force." By John Bishop, a recusant Papist. Lond. 1598.]

[o] Edm. Campian., Epist. ad Consil. Reginæ Angl., [§ 8, prefixed to the Concert. Eccl. Angl., p. 21.]

[Those laws against the Court, more than the Church of Rome.]

To conclude, if we view the particular laws, we shall find that they looked more upon the *Court* of Rome than the *Church* of Rome. The Act and oath of supremacy were framed in the days of Henry the Eighth, by Roman-Catholics themselves [p]. The first penal laws of this nature, that I find made by Queen Elizabeth, were in the sixth year of her reign, against those who should maintain the authority of the Pope thrice by word or writing, or refuse the oath of supremacy twice [q]. The second, in the fourteenth year of her reign, against those who should pronounce the Queen to be an heretic, schismatic, or infidel; and likewise those who brought over Bulls from the Bishop of Rome, to reconcile any of the Queen's subjects, or indulgences, or *Agnus Dei*, or the like [r]. Yet was this never put in execution for six years, until the execution of it was extorted [r]. All this either concerned the Court of Rome, or such acts as were not necessary to a Roman-Catholic for the enjoyment of his conscience. A man might believe freely what his conscience dictated to him, or practise his own religion, so he prated not too much, nor meddled with others. Afterwards, in the twenty-third year of her reign, issued out the proclamation against the English seminaries [s], wherein her subjects were bred pensioners to the enemies of her crown. The last laws of this kind were made in the twenty-fourth year of her reign, against those "who should dissuade English subjects from their obedience to their prince or from the religion established, or should reconcile them to the Church of Rome [t]."

In all these laws, though extorted from the Queen by so many rebellions and treasons and deprivations and extremest necessity, there was nothing that did reflect upon an old quiet Queen Mary's priest, or any that were ordained within the land by the Romish Bishops then surviving, so they were not over busy and meddled with others. These might have

[p] [28 Hen. VIII. c. 10.]

[q] [5 Eliz. c. 1. § 10, 11. A.D. 1562.—Camd. Annal. Eliz., P. i. p. 71, in an. 1563.]

[r] [After Pius V.'s Bull, 13 Eliz. cc. 1, 2. A.D. 1570.—Camd., ibid. P. ii. pp. 211, 212, in an. 1571, et p. 286. in an. 1577.]

[s] [Camd., ibid. P. ii. pp. 314—318, in an. 1580. Two proclamations were issued 23 Eliz. A.D. 1580; one recalling to England students in foreign seminaries, the other declaring "Jesuits, Seminarists, Mass-priests," &c., outlawed. They are both prefixed to Card. Allen's Apologia.]

[t] [Camd., ibid., P. iii. p. 349. in an. 1582.—23 Eliz. c. 1. A.D. 1581.]

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"Non his juventus orta parentibus
"Infecit æquor sanguine [u];"—

these were not principled for his purpose, nor of that temper that his affairs required. And therefore he erected new seminaries, and placed new readers according to his own mind; and, in conclusion, forced the Queen to use necessary remedies to save herself and the kingdom.

[R. C's. arguments answered.] These things being premised, it will not be difficult to answer to all which R. C. saith.

First, he saith, "that in all the pretended cases of treason" there is no "election" but "of matters of religion," and that they suffer merely for matters of religion without any "shew of true treason [x]." I confess, that treason is complicated with religion in it. But I deny, that they suffer merely for religion; any more than he, that poisoned an emperor or a prior in the Sacrament, could have been said to suffer for administering the Sacrament, and not rather for mixing poison with the Sacrament; or than he, who out of blind obedience to his superior kills a man, can be said to suffer death for his 186
conscience; or he, who being infected with the plague and seeking to infect others, if he be shot dead in the attempt, can be said to suffer for his sickness. In so many designs to take away the Queen's life, in so many rebellions, in so many seditious tenets, in so many traitorous books, and, lastly, in adhering unto, and turning pensioner to, a public professed enemy of their prince and native country, can he see no treason? nothing but "matters of religion?" If he cannot, or will not, yet they, who were more nearly concerned in it, had reason to look better about them.

He asks, "how I can term that political supremacy, which is supremacy 'in all causes,' to wit, ecclesiastical or religious [y]?" I answer, very well; as the king is the keeper of both Tables, to see that every one of his subjects do his duty in his place, whether clergyman or layman, and to inflict

[u] [Hor., Carm., iii. 6. 33, 34.]
[x] [Surv., c. iii. § 4. p. 50.]
[y] [Ibid.]

political punishment upon them who are delinquent. And where he saith that "Queen Elizabeth challenged more [a]," he doth her wrong. She challenged no more; and moreover in her first parliament took order to have "The Head of the English Church" left out of her title [a].

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He demands further, whether "Nero by the same right might not have condemned St. Peter and St. Paul of treason, for coming to Rome with forbidden Orders, and seeking to seduce his subjects from the religion established [b]?" No, for no Orders were forbidden in Rome by law, true or false. Neither did those blessed Apostles "seduce" subjects, when they converted them from vanities to serve the living God. [Acts xiv. 15.] Let him shew, that St. Peter by his declaratory Bull did deprive Nero of his empire and absolve his subjects from their allegiance, or had his emissaries to incite them to rebellion, or sent hallowed banners and phœnix-plumes and plenary indulgences to those who were in arms against him, or plotted how to take away his life, or that Christians in those days did publish any such seditious books, or broach opinions so pernicious to all civil government, and then his question will deserve a further answer. Until then it may suffice to tell him the case is not the same. Still he confounds political supremacy with ecclesiastical, and the accidental abuses of Holy Orders with Holy Orders themselves.

Upon this mistake, he urgeth an enthymeme against us;—"Popish priesthood and Protestant ministry are the same in substance; therefore, if the one be treasonable, the other is treasonable also [c]." His consequence is just such another as this;—Thomas and Nicholas are both the same creatures in substance, that is, men; therefore, if Thomas be a traitor, Nicholas is another. How often must he be told, that their treason did not lie in the substance of their Holy Orders but in the abuses, and in the treasonable crimes of the persons constituted in Holy Orders, in their disobedience to the laws, in being pensioners to public enemies of the kingdom, &c.

[a] [Ibid.]

[a] [See the Answer to La Millet. (Vol. i. pp. 29, 31. notes y. e. f.) Disc. i. Pt. i.]

[b] [Surv., c. iii. § 4. p. 51.]

[c] [Ibid. p. 52.]

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But he presseth this argument yet further;—"If Popish priests can be lawfully forbidden by Protestants to return into England contrary to the laws under pain of treason, then Protestant ministers may be also forbidden by Puritans and Independents to return into England contrary to their laws upon pain of treason [d]."

"Hoc Ithacus velit, et magno mercentur Achivi [e];"—

this is that which many of them desire. They doubt not at long running to deal well enough with the rest, but the English Protestants are a beam in their eye. To his argument I answer by denying his consequence, which halts downright upon all four. First, let him shew, that those, whom he terms Puritans and Independents, have the same just power. Secondly, that there is such a law in force. Thirdly, that there are as just grounds now for such a law as there were then; that the Protestant clergy on this side the seas are so formidable, either for their number, or for their dependency upon the Pope or foreign princes. Let him shew, that they left the kingdom contrary to law, and have been bred here in such seminaries contrary to law, and are so principled with seditious opinions, which threaten such imminent and unavoidable danger and ruin to the kingdom. If he fail in any one of these, as he will do in every one of them, his consequence falls flat to the ground.

[R. C.'s testimonies.]

In the close of this chapter, he produceth two testimonies beyond exception, to prove that "Popish priests in England" died for religion [f]. The one of "King James in his Apology for the Oath of Allegiance [g],—'I do constantly maintain that which I have said in my Apology, that no man either in my time or in the late Queen's ever died here for his conscience, priests and Popish Church-men only excepted, that receive Orders beyond seas [h].'" The other of Queen Elizabeth,—"'that she did think that most of the poor priests, whom she executed, were not guilty of treason,' and yet she executed them for treason [i]." What satisfaction he will make to the 187

[d] [Ibid. pp. 52, 53.]
[e] [Æn. ii. 104.]
[f] [Surv., c. iii. sect. 4. p. 53.]
[g] [Pref. to Apology, addressed to all Christ. Monarchs, &c., pp. 134, 135. Latin edit. Lond. 1609.]
[h] [Surv., ibid.]
[i] [Ibid., p. 54; from] Camd., Annal. Eliz., in an. 1581. [P. iii. p. 347.]

ghosts of these two great princes, I know not. This is apparent, that he hath done them both extreme wrong. Discourse III.

First, to King James, by coupling together two divided and disjointed sentences, and likewise by cutting off his sentence in the middest. For evident proof whereof, I will here lay down the sentence word for word, as they are in the French edition, for I have neither the Latin nor the English by me. "I maintain constantly, and it is most true which I said in my Apology, that never, neither in the time of the late Queen, nor in my time, any man whatsoever hath been executed simply for religion." Here is a full truth without any exception in the world. Then follows immediately,—"For let a man be as much a Papist as he will, let him publish it abroad with as much constancy and zeal as he pleaseth, his life never was, nor is, in danger for it: provided that he attempt not some fact expressly contrary to the laws, nor have a hand in some dangerous and unlawful enterprise." Then follows the exception,—"Priests and Popish Churchmen excepted, which receive their Orders beyond the seas:" which exception is not referred to the former clause—"never hath been executed simply for religion," but to the latter clause—"his life never was, nor is, in danger for it." Their lives were in danger indeed, being forfeited to the law; but they were never executed, by the grace and favour of the prince. The words following, which he hath altogether clipped off, do make the fraud most apparent: "Who" (which priests), "for many and many treasons and attempts which they have kindled and devised against this estate, being once departed out of the kingdom, are prohibited to return, under pain of being reputed, attainted, and convicted of the crime of treason: and nevertheless, if there were not some other crime besides their simple return into England, never any of them were executed[k]." We see plainly, that these penal laws were not made in order to religion but out of necessary reason of estate to prevent treason. Nor was any man executed for disobedience to those penal laws, unless it was complicated with some other crime. [King James does not say, that Popish Priests in England died for religion.]

To come to Queen Elizabeth,—if that which he saith here [Nor Queen Elizabeth.]

[k] [Preface to Apology, French edit. Lond. 1609. pp. 124, 125.]

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First, the author alleged doth testify, that the Queen "never thought men's consciences were to be forced[l];" no sign of purposed cruelty;

"Quæque dolet quoties cogitur esse ferox."

Secondly, that she complained many times, that "she was driven of necessity to take these courses, unless she would see the destruction of herself and her subjects, under colour of conscience and the Catholic religion[m]." Tell me, who are the supreme judges of the public dangers and necessities of England? Is not the prince? At least with his council and the representative body of the whole kingdom. When all these unanimously have declared that there is a necessity, and have prescribed the best means that possibly they could devise to prevent the danger; shall a foreign prelate, and he not only interessed, but the very source of all the danger, have power to contradict it, and to send his suspected emissaries more frequently than ever into the kingdom? A "pit is digged;" true, but the authors of these seditious opinions and practices are they who digged it. The Queen did what she could to cover it, by her proclamations and Acts of Parliament, to premonish every one of the danger. If the Pope 188
and their superiors would be so cruel to thrust out their emissaries upon desperate attempts, upon their vow of blind obedience, and a promise of celestial rewards, their blood is

[l] Camd., Annal. Eliz., [P. iii. p. 347. in] an. 1581.

[m] [Id., ibid.]

upon their heads. The Queen said further, that, "for the most part of these silly priests, she did not believe them to be guilty of practising the destruction of their country; but their superiors were they, whom she held to be the instruments of this foul crime, forasmuch as they who were sent, committed the full and free disposition of themselves to their superiors[n]." So, first, R. C. inserts these words into the Queen's speech—"whom she executed." She executed none, she condemned none. Those who were executed in her long reign of above forty-four years, were not so many. This expression would have fitted the short reign of Queen Mary much better. Secondly, he adds these words, "were guilty of treason;" whereas the Queen said no such thing, but, "were guilty of practising the destruction of their country." Can none have a hand in the destruction of their country, but only they who are practisers, and plotters, and contrivers of it? Are none 'guilty of treason,' but only they who 'practised the destruction of their country?' There are instruments in treason as well as engineers; who are not privy to the intrigues of the conspiracy, and yet suffer justly for acting their parts in it. Yea, without practising or acting, the very concealment of treason alone is sufficient by the law of England, and by the law of nations, to condemn a person for not discovering it. Lastly, he leaves out these words, which are a clear exposition of the whole sentence,—"But their superiors were they whom she held to be the instruments of this foul crime, forasmuch as the emissaries did commit the whole disposure of themselves to their superiors." So she makes the superiors and some others, who were most busy, most subtle, and most affected among them, to be the contrivers and grand traitors. But, "for the most part of the silly priests," she took them to be but executors of the designs of their superiors, to shoot those bolts which they had made, and to pull the chestnuts out of the fire with their naked fingers for their superiors to eat. What dealing may others expect from them in citations, who are not afraid to cast undeserved dirt upon Majesty, and prevaricate with their natural princess, under the gracious protection of whose

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[n] [Id., ibid.]

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just government they first beheld the light? It may serve as one instance of his undue citing testimonies and authorities, that—whereas I say that "dangerous and bloody positions and practices produce severe laws," and that I "wish all seditious opinions and over-rigorous statutes with the memory of them buried in perpetual oblivion[o]"—he inferreth that I "seem to confess, that the laws made against Catholics were cruel and unjust[p]." He did well to say "it seemeth," for I neither say the one nor the other, though my wishes be the same they were. On the contrary, I justify them upon this undeniable ground, that "no kingdom is destitute of necessary remedies for its own conservation[q]." That which I said, I spake indifferently both of their laws and ours. That law which was justly enacted, may be over-rigorously executed, when that necessity which was the only ground of the law is abated. I wish the necessity had not been then so great as to require laws written in blood, and that a lesser coercion would have sufficed then for a remedy. The necessity being abated, I wish the rigour may be likewise abated. To divide their laws and our laws, or the necessity and the remedy, is a fallacy; and contrary to what I said, when I wished all seditious opinions and over-rigorous statutes were buried in oblivion.

[Treatment of Roman-Catholics in Ireland by Lord Strafford and the author.]

He addeth, that "perhaps mine own persecution hath taught me this lenity[r]." At last he confesseth that we suffer persecution, which even now he denied. The Earl of Strafford, then Lieutenant of Ireland, did commit much to my hands the political regiment of that Church for the space of eight years[s]. In all that time let him name one Roman Catholic that suffered either death or imprisonment, or so much as a pecuniary mulct of twelve pence, for his religion upon any penal statute. If he cannot, as I am sure he cannot, then it is not 'my present persecution that taught me that lenity.' I remember not one Roman Catholic that suffered in all that time, but only the titular Archbishop of Cashel, who was indeed imprisoned for three or four days, not only upon suspicion, but upon information out of Spain,

[o] [Just. Vindic., c. iii. vol. i. p. 126.]
[p] [Surv., c. iii. Sect. 4. p. 51.]
[q] [Just. Vindic., ibid. See also c. vi. vol. i. p. 165.]
[r] [Surv., c. iii. Sect. 4. p. 52.]
[s] [Viz. from 1633 to 1641.]

that he was a pensioner of the Catholic King's, and being found to be no such dangerous person, upon my representation was dismissed.

189 Let no man hence imagine that we neglected our duties. We did our work by more noble and more successful means than penal laws—by building of Churches and mansion-houses for ministers, by introducing a learned clergy, by enjoining them residence, by affording them countenance and protection and means of hospitality, by planting and ordering schools for the education of youth, and by looking carefully to the education and marriages of the king's wards. To look to the ecclesiastical regiment was the care of particular Bishops. To look to the public safety of the kingdom, and to free it from sedition masked under the vizard of religion, was the care of the sovereign magistrate.

CHAP. IV.

[THAT THE KING AND KINGDOM OF ENGLAND IN THEIR SEPARATION FROM ROME DID MAKE NO NEW LAW, BUT VINDICATE THE ANCIENT LAW OF THE LAND.]

SECTION THE FIRST.

The kings of England always political Heads of the English Church.

IN the fourth chapter of the Vindication I set forth the dignity of Apostolical Churches, and the great influence they had upon their neighbour Churches, yet without any legal jurisdiction over them; especially the Roman Church in the West[t]: I shewed how they endeavoured to convert this honourable presidency into monarchical power; but that the power which they endeavoured to usurp, was in itself incapable of prescription[u]; and, if it had been capable, yet they had no prescription for it: that the British, Saxon, Danish, and Norman kings, successively, were the only patrons and

[t] [Just Vindic., c. iv. vol. i. pp. 129, 130.]

[u] [Ib., pp. 131—133.]

PART I.

protectors of the Church within their dominions, and disposed of all things concerning the external regiment thereof, by the advice of their prelates; called ecclesiastical synods, made ecclesiastical laws, punished ecclesiastical persons, prohibited ecclesiastical judges, received appeals from ecclesiastical courts, rejected the ecclesiastical laws of the Popes at their pleasures, gave legislative interpretations of other of their ecclesiastical laws as they thought good in order to their own dominions, made ecclesiastical corporations, appropriated ecclesiastical benefices, translated Episcopal sees, forbid appeals to Rome, rejected the Pope's Bulls, protested against his legates, questioned both the legates and all those who acknowledged them in the King's Bench, condemned the excommunications and other sentences of the Roman Court, enlarged or restrained the privileges of the clergy, prescribed the endowment of vicars, set down the wages of priests, and made Acts to remedy the oppressions of the Roman Court. And all this was shewed evidently, not out of the single testimonies of some obscure authors, but out of the customs and common law of the realm, out of the reports of our judges and greatest lawyers, out of the laws of Edward the Confessor, the Statutes of Clarendon and Carlisle, the articles of the clergy, the Statutes of Provisors, and many other statutes made with the general consent of the whole kingdom[x]; it is not possible in any cause to produce more authentical proofs than these are;—to all which in particular R. C. answers not one word. So as once more I take it for granted, that Henry the Eighth did nothing in his separation from the Court of Rome, but what his most renowned ancestors had chalked forth unto him.

[That they were so *de facto*, sufficient for the argument.]

All that he saith with any shew of opposition to this, is, first, "that whatsoever kings do is not lawful[y];" whereas I spake not of any single kings, but of the whole succession of British, English, Danish, and Norman kings; nor of kings alone, but of them with the consent and concurrence of the whole kingdom, clergy and laity, which proves irrefragably, that what they did was the custom and common fundamental law of the kingdom; and that there is no prescription, nor can be, against it. That they did it *de facto*, is enough to

[x] [Ib., pp. 133—152.]

[y] [Surv., c. iv. sect. i. p. 55.]

make good my assertion, that Henry the Eighth did no new thing, but what his predecessors in all ages had done before him.

Not only acts of Papal power, but the power itself, contrary to our laws.

Secondly, he saith, that "kings may resist the exercise or acts of Papal power sometimes, and yet acknowledge the power[z];" whereas the laws and testimonies which I produced, do not only speak against some acts of Papal power, but against the power itself; against the Pope's power to make
190 laws, to send legates or Bulls or excommunications without license, the power to receive appeals, the power to make ecclesiastical corporations, the power to dispose of ecclesiastical benefices, &c. What lawful power had the Pope in the eye of the law of England, who by the law of England could neither send a legate thither to do justice there, nor call the delinquents or litigants to Rome to do justice there, without license? Our laws speak not only against Pandulphus, or this or that legate, but against all legates that come without license; nor against the Bull or excommunication of Paul the Third alone, but against all Bulls and excommunications which were brought from Rome into the kingdom without license. '*Frustranea est ea potentia quæ nunquam deduci potest in actum.*' In vain is an absolute power given to a single person to execute that which he cannot execute without another man's license. Lastly, our laws do ascribe this very power to the king which the Pope doth challenge,—the patronage of the Church, the power to make ecclesiastical laws, the power to call ecclesiastical synods, the power to dispose of all things which concern the external regiment of the Church, by the advice of his clergy and council, within his own dominions. In vain doth he distinguish between "the acts or exercise of Papal power" and the "power" itself, seeing our ancient law doth not only forbid the exercise of Papal power, but deny the power itself.

[Our kings do not challenge *all* jurisdiction in spiritual causes.]

He saith, If I "would indeed prove that Henry the Eighth did but vindicate his ancient liberty, I should prove that English kings before him did challenge to be 'Heads of the Church immediately under Christ,' by which Headship, as it was expressed in King Edward's time, 'all jurisdiction both in spiritual and temporal causes descended from the Crown[a].'"

[z] [Ibid.]

[a] [Ibid., p. 56.]

PART I. To prove that Henry the Eighth did but vindicate his ancient liberty, it is not necessary that I should justify all the extravagant expressions or oily insinuations of parasitical flatterers. Our kings neither do challenge, nor ever did challenge, "all jurisdiction in spiritual causes," nor any part of the power of the Keys, either to their own use, or to derive it to others. Great palaces seldom want their moths, or great princes their flatterers, who are ready to blow the coals of ambition, and adorn their masters with stolen plumes; such as the Canonists were of old to the Popes. It is not much to be wondered at, if some Protestants did overshoot themselves in some expressions upon this subject, having learned that language from a Roman-Catholic before them. Bishop Bonner, being the king's ambassador with Clement the Seventh, did so boldly and highly set forth his master's supremacy in the assembly of the Cardinals, that they thought of burning him, or casting him into a vessel of scalding lead, if he had not provided for his own safety by flight[b]. It would better become him and me, if any such thing had been, to give "unto Cæsar that which is Cæsar's, and unto God that which is God's." It is enough to my purpose to have shewed, that all King Henry's predecessors did both challenge and enjoy this political Headship of the Church, as I have shewed throughout all the parts and branches thereof, if he could see wood for trees. These very flowers and jewels of the crown enumerated by me in this chapter, and demonstrated out of our laws in my Vindication, do make up that politic Headship; that is, a power paramount, to see that all persons do their duties in their callings, and that all things be acted by fit agents, which are necessary to that great and architectonical end, that is, the safety and tranquillity of the commonwealth. This is that title which Edward the Confessor did enjoy before the Conquest, namely, "The Vicar of God to govern the Church within his own dominions[c]:" which is neither more nor less than the political Head of the Church. In a great family there are several offices, as a divine, a physician, a school-

[Matt. xxii. 21.]

[b] Acworth, Contra Monarch. Sanderi, lib. ii. p. 195. [Lond. 1573.]

[c] [Leges Eccl. Edw. Reg. et Confessor., c. 15, ap. Spelm., Concil., tom. i. p. 622.]

master, and every one of these is supreme in his own way; yet the master of the family hath an œconomical power over them all, to see that none of them do abuse their trust to the disturbance of the family. Our parliament rolls, our ecclesiastical registers, the records of the King's Bench and Common Pleas, do all prove, that it is no innovation for our kings to interpose in ecclesiastical affairs. I do confess, that some of these flowers which were peculiar to the king, as the patronage and investitures of Bishops, in later days were snatched from the Crown by the violence of Popes; but for many of the rest, and especially for that which did virtually include them all, that is, the legislative power in ecclesiastical causes, wherein the whole body of the kingdom did claim a nearer interest, in respect of that receptive power which they have ever enjoyed, to admit or not admit such new laws whereby they were to be governed, it had been folly and madness in the Popes to have attempted upon it. DISCOURSE III. 191

One doubt still remains,—how ecclesiastical jurisdiction could be said to be "derived[d] from the Crown." (For they might be apt enough in those days to use such improper expressions.)

First, with the Romanists themselves I distinguish between habitual and actual jurisdiction. Habitual jurisdiction is derived only by Ordination. Actual jurisdiction is a right to exercise that habit, arising from the lawful application of the matter or subject. In this latter the lay-patron, and much more the sovereign prince, have their respective interests and concurrence. Dioceses and parishes were not of Divine but human institution; and the same persons were born subjects before they were made Christians. The Ordinary gives a schoolmaster a license or habitual power to teach, but it is the parents of the children who apply or substract the matter, and furnish him with scholars, or afford him a fit subject whereupon to exercise this habitual power. 1. Jurisdiction is from Ordination, but princes apply the matter.

Secondly, we must also distinguish between the interior and exterior court, between the court of conscience and the court of the Church. For in both these courts the power of the Keys hath place, but not in both after the same manner. That power which is exercised in the court of conscience, for 2. Jurisdiction enlarged and fortified with coercive power by princes.

[d] ["Descended" is the word used by R. C.]

PART I. binding and loosing of sins, is solely from Ordination. But that power which is exercised in the court of the Church, is partly from the sovereign magistrate; especially in England, where ecclesiastical jurisdiction is enlarged and fortified with a coercive power, and the bounds thereof have been much dilated by the favour and piety of Christian princes, by whom many causes have been made of ecclesiastical cognizance which formerly were not, and from whom the coercive or compulsory power of summoning the king's subjects by processes and citations was derived. It is not then the power of the Keys, or any part or branch thereof in the exercise of ecclesiastical jurisdiction, even in the exterior court of the Church, which is derived from the Crown; but it is coercive and compulsory and corroboratory power, it is the application of the matter, it is the regulating of the exercise of actual ecclesiastical jurisdiction in the court of the Church, to prevent the oppressions of their subjects and to provide for the tranquillity of the commonwealth, which belongs to sovereign princes.

Henry the Eighth not exempt from the power of the Keys.

As to his corollary, that "never any king of England before Henry the Eighth did challenge" an exemption "from all jurisdiction under Christ[e]," it is as gross a mistake as all the rest. For neither did Henry the Eighth challenge any such exemption in the court of conscience;—among the Six bloody Articles established by himself, that of Auricular Confession was one[f]:—nor in the court of the Church, seeing the direct contrary is expressly provided for in the statute itself[g];—"The Archbishop of Canterbury for the time being, and his successors, shall have power and authority from time to time, by their discretions, to give, grant, and dispose, by an instrument under the seal of the said Archbishop, unto your Majesty and to your heirs and successors, kings of this realm, as well all manner of such licences, dispensations, compositions, faculties, grants, rescripts, delegacies, instruments, and all other writings, for causes not being contrary or repugnant to holy Scriptures and laws of God, as heretofore hath been used and accustomed

[e] [Surv. c. iv. sect. 1. p. 56.]
[f] [31 Hen. VIII. c. 14. art. 6.]
[g] [I. e. in the statute (or one of them) transferring the supremacy from the Pope to the king, viz.] 25 Hen. VIII. c. 21. [§ 3.]

to be had and obtained by your Highness, or any of your most noble progenitors, or any of yours or their subjects, at the See of Rome." So vain a suggestion it is, that King Henry the Eighth "did free himself not only from Papal authority," but also and as well "from Episcopal," Archiepiscopal, "and all spiritual authority either abroad or in England [h]."

[R. C.'s argument to prove it answered.]

And his argument, which he presseth so seriously to prove it, is as vain,—that "the head of a company is under none of that company [i]." The Pope himself is under his confessor, who hath power to bind him or loose him in the court of conscience. The master of a family is under his own chaplain for the regiment of his soul, and under his physician for the government of his body. What should hinder it, that a political head may not be under an ecclesiastical pastor? The kings of England are not only under the foreign jurisdiction of a general Council, but also under their ecclesiastical pastors, though their own subjects. Only they are exempted from all coercive and compulsory power.

192 Let us try whether he be more fortunate in opposing, than he hath been in answering.

[The appeal made to Rome by] Saint Wilfrid.

The kings of England (saith he) "permitted appeals to Rome in ecclesiastical causes, as is evident in St. Wilfrid's case, who was never reproved nor disliked for appealing twice to Rome [j]."

Not so, but the clear contrary appeareth evidently in St. Wilfrid's case; though he was an Archbishop, and if an appeal had been proper in any case, it had been in that case. This pretended appeal was not only much "disliked," but rejected, by two kings successively, by the other Archbishop, and by the body of the English clergy, as appeareth by the event. For Wilfrid had no benefit of the Pope's sentences, but was forced after all his struggling to quit the two monasteries which were in question, whether he would or not, and to sit down with his Archbishopric, which he might always have held peaceably if he would [k]. This agrees with his supposed vision in France, that, at his return into his country, he should "receive the greatest part of his possessions that had been taken from him," that is, "*præsulatum Ecclesiæ suæ* [l]"—

[h] [Surv., c. iv. sect. 2. p. 62.]
[i] [Ibid.]
[j] [Ibid., sect. 1. pp. 56, 57.]
[k] [Act. Concil. Nidde, ap.] Spelm., Concil., an. 705. [tom. i. pp. 203—206. But see Just Vindic., c. iv. vol. i. pp. 133—135. notes e, f, g.]
[l] Bed., Hist. Eccl., lib. v. c. 20.

PART I. his Archbishopric, but not his two monasteries. But this is much more plain by the very words of King Alfred, cited by me in the Vindication, to which R. C. hath offered no answer, that "he honoured the Pope's nuncios for their grave lives and honourable looks [m]." Here is not a word of their credential letters. O how would a nuncio storm at this, and take it as an affront! The king told them further, that "he could not give any assent to their legation [m]." So that which R. C. calls "permitting," was in truth down-right dissenting and rejecting. The reason follows,—"because it was against reason, that a person twice condemned by the whole Council of the English should be restored upon the Pope's letter [m]." Is not this "disliking?" What could the king say more in civility, than to tell the Pope's nuncios that their master's demands were unreasonable? or what could be more to the purpose, and to the utter ruin of R. C. his cause, than that the decrees of the Pope were impugned, not once but twice, not by a few factious persons, but by two or three kings successively, and by Theodore the Archbishop of Canterbury, a Roman, with the flower of the clergy, and the whole Council of the English?

St. Austin and his fellows. He proceedeth, "They never disliked that profession of St. Austin's fellows, that the See Apostolic had sent them to preach in Britany, as she is accustomed to do in all the world [n]."

First, why should they dislike it? They had no reason for it. No good Christian can dislike the Husbandman's sowing [Matt. xiii. 24, 25.] of wheat, but every good Christian doth dislike the envious man's supersemination, or sowing of tares above the wheat. Or if there had been reason, how could they dislike that which in probability they did not know? The letter, out of which these words are cited, was not written to the English kings, but to the Scottish Bishops, by Laurentius, successor to Austin in the See of Canterbury, and Mellitus of London, and Justus of Rochester, which three were all the Bishops of the Roman communion that were at that day in Britain.

[m] [Spelm., as before quoted.]

[n] [Surv., c. iv. sect. 1. p. 57; from the Epistle of Laurentius, Mellitus, and Justus to the Scotch Bishops, in] Bed., [Hist. Eccl. Angl.,] lib. ii. c. 4.

But if perchance he imagine that the Pope's sending preachers into Britain doth either argue an ancient, or acquire a subsequent, jurisdiction over Britain, he errs doubly. First, they did nothing without the king's licence, for matter of *fact*. They produced no Papal mandates, which had been in vain to a Pagan king. At their first arrival the king commanded them to abide in the Isle of Thanet, until his further pleasure was known;—they did so;—afterwards they were called in by his command, he gave them an express licence to preach to his subjects, and, after his own conversion, "*majorem prædicandi licentiam*"—"a further and larger licence[o]." So the conversion of Kent was by the Pope's endeavours, and the king's authority. Secondly, for matter of *right*, conversion gives no just title to jurisdiction. How many countries have been converted to the Christian Faith by the Britons and English[p], over which they never pretended any authority?

It followeth, "They never disliked that St. Gregory should subject all the priests of Britain under St. Austin, and give him power to erect two Archiepiscopal sees, and twelve" Episcopal "sees under each of them[q]."

Whom could Ethelbert, being himself a novice in Christianity, better trust with the disposing of ecclesiastical affairs in his kingdom, than those who had been his converters? But either St. Gregory in his projects, or rather Austin in his informations, did mightily over-shoot themselves: for the twentieth part of Britain was not in Ethelbert's power; and
193 all the other Saxon kings were pagans at that time. We have seen, that after the death of Austin and Gregory there were still but one Archbishop, and two Bishops, of the Roman communion throughout the Britannic Islands. The British and Scottish Bishops were many, but they renounced all communion with Rome. The British Bishops professed plainly to Austin himself in their Synod, that "they would not acknowledge him for their Archbishop[r]." And the Scottish Bishops did so much abhor from the communion of

[o] Bed., [Hist. Eccl. Ang.,] lib. i. cc. 25, [26.]

[p] See [a list of them in] Speed, [Chron.,] lib. vi. c. 9. num. 22.

[q] [Surv., c. iv. sect. 1. p. 57, from] Bed., [Hist. Eccl. Angl.,] lib. i. c. 29.

[r] Bed., [Hist. Eccl. Angl.,] lib. ii. c. 2.

PART I. the Bishops of the Roman communion, that (as themselves complained) Dagamus one of the Scottish Bishops refused to eat with them, or to lodge with them in the same inn[s]. And yet he tells us in great earnest, that they "never disliked" it.

St. Melit. He addeth, "They never disliked that St. Melit should bring the decrees of the Roman synod, to be observed of the Church of England[t]."

It may be so. But whether it was so or not, whether they liked them or disliked them, whether they received them or rejected them, Venerable Bede, who is his author, speaketh not a word. This is not proving, but presuming. And why might they not receive them, if they found them to be equal and beneficial, "*non propter authoritatem legislatoris, sed propter æquitatem legis,*"—'not for the authority of the Roman synod, but for the equity of their decrees?' And what were their decrees? *Ordinationes "de vita et quiete Monachorum*[u]"—Orders "for the good conversation and quiet of Monks," a matter of no great importance. But great or small, the decrees of the Roman synod were of no force in England, unless they were received by the king and kingdom; and if they were received by the king and kingdom, then they were naturalized and made the laws of England, not of Pope Boniface an usurping, and (if we may trust St. Gregory his predecessor) an antichristian[x], Prelate.

An Archbishop sent from Rome. "They willingly admitted a Bishop of Canterbury sent to them and chosen by the Pope[y]."

Why should they not admit him? seeing it was their own desire and request to the Bishop of Rome, in respect of the great scarcity of scholars then in England, to send them one: as appeareth by the very letter of Vitalianus, "*Hominem denique docibilem, et in omnibus ornatum antistitem, secundum vestrorum scriptorum tenorem, minime valuimus nunc reperire*" —"We could not find, for the present such a complete prelate as your letters require[z];" and by the reception of the king, "*Quod cum nuncii certo narrassent Regi Egberto*

[s] Bed., ibid., c. 4.
[t] [Surv., c. iv. sect. 1. p. 57, as from Bede,] lib. ii. c. 4.
[u] [Bed.,] ibidem.
[x] [See Answer to La Millet. (vol. i. p. 32. note n,) Disc. i. pt. 1.]
[y] [Surv., c. iv. sect. 1. p. 57. from] Bed., lib. iii. c. 29.
[z] [Bed., ibid.]

[illegible]desse Episc[illegible] [illegible]

"When King E[illegible] [illegible]

Theodore [illegible]

prelate [illegible]

wills, which [illegible]

"They [illegible]

of Heaven [illegible]

I [illegible]

the [illegible]

There was [illegible]

the [illegible]

St. J[illegible]

by C[illegible]

tradition [illegible]

the Kingdom of Heaven [illegible]

which was said [illegible]

it was,—and whether [illegible]

St. Columb[illegible] [illegible]

"*Hic est* [illegible]

[illegible]

[illegible] *pu* [illegible]

[illegible] will not [illegible]

[illegible] the gates of Heaven [illegible]

having made him [illegible]

K[illegible] No man can [illegible]

[illegible] gates and [illegible]

[illegible] office for St. Peter [illegible]

[illegible] were feasting [illegible]

K[illegible] were [illegible]

"They [illegible]

that St. Peter [illegible]

Let them [illegible]

[illegible] the whole [illegible] Apostles [illegible]

King and builded a magnificent temple [illegible]

honour of Christ and memory of S[illegible]

PART I. and upon the same caused some verses to be engraven, wherein St. Peter and St. Paul were compared together;— 194

"Doctior hic monitis, celsior ille gradu;"—

Or, "St. Paul was more learned, but St. Peter higher in degree: St. Paul opened the hearts, St. Peter the ears: St. Paul opened Heaven by his doctrine, St. Peter by his Keys: St. Paul was the way, St. Peter the gate: St. Peter was the rock, St. Paul the architect[e]." Theological truths ought not to be founded upon poetical licence. He knows right well that their own doctors do make St. Paul equal in all things to St. Peter except in primacy of order. We acknowledge that St. Peter was the 'beginning of unity;' why then might he not have the first place, according to his primacy of order? But the question between them and us is of another nature, concerning a supremacy of power. [Lu. v. 7.] When St. Peter's nets were full, he did but beckon and his fellows came to partake; but the Court of Rome use him more hardly; for whatsoever was ever said or done to his honour or advantage, rests not upon his person, who was still no more but a fellow of the Apostolical College, but devolves wholly upon his successors, to make them monarchs of the Church and "masters of all Christians[f]."

St. Peter a monarch. "They suffered their Bishops to teach, that St. Peter had a monarchy; was next after Christ the foundation of the Church; and that neither true Faith nor good life would save out of the unity of the Roman Church[g]."

As if our ancestors had ever understood the Roman Church in that sense which they do now—for the universal Church; or heard of their new-coined distinction of a mediate and immediate foundation; as if St. Peter was laid immediately upon Christ, and all the rest of the Apostles upon St. Peter; or as if the Court of Rome were St. Peter's sole heir. If their Bishops had taught any such doctrine in the Councils of Constance and Basle, they would have gone near to have been censured for heretics, unless they had explained themselves better than he doth. Though it is true, that after the Popes by violence

[e] [Id., ibid. For "the ears," read "the stars;" "Corda per hunc hominum reserantur, et *astra* per illum."]

[f] [See Just Vindic., c. viii. vol. i. p. 249. note z.]

[g] [Surv., c. iv. sect. 1. p. 58, as from R. C.'s.] Flor. [Hist. Eccl. Gent. Angl.,] lib. ii. c. 11. [Paris, 1654].

and subtilty had gained so much upon the world, as to be able to impose new upstart oaths, first upon Archbishops, and then upon Bishops, inconsistent with their oaths of allegiance, and had falsified the very forms of their own oaths from "*Regulas Sanctorum Patrum*"—"The rules of the Holy Fathers" to "*Regalia Sancti Petri*"—"The royalties of St. Peter[h]," then they had the Bishops bound hand and foot to their devotion. But who were these Bishops? What were their names? What were their words? Who were the kings that suffered them? Nay, he telleth us not, but leaveth us in the dark; first, to divine what was his dream, and then to shew him the interpretation of it. Only he referreth us to a treatise of his own, called "The Flowers of the English Church[i]," which I never see nor heard of but from himself. If there be any thing that is pertinent and deserveth an answer, had it not been as easy to have cited his authors as himself in the margin? When his latent testimonies come to be viewed and examined, it will be found that his "monarchy" is nothing but a 'primacy' or 'principality of Order;' his "foundation" a respective, not an absolute, foundation; and his "Roman Church" the Catholic Church; or else it will appear, that instead of gathering flowers he hath been weeding the doctors of the Church.

"They admitted legates of the Pope, whom he sent to examine the Faith of the English Church[k]." John the precentor.

The intended Pope was Pope Agatho; the pretended legate was John the Precentor, whom the Pope sent into England at such time as the heresy of Eutyches was frequent in the Oriental parts, "*ut cujus esset Fidei Anglorum Ecclesia diligenter edisceret*"—"that he should learn out diligently what was the Faith of the English Church[l]." He saith not to "examine" juridically, but "to learn out diligently." This John, his supposed legate, had no more power than an ordinary messenger. Well, a synod was called: by whom? by the supposed legate? no, but by the English. Who presided

[h] [See Just Vindic., c. iv. vol. i. p. 149. note x.]

[i] [Viz. lib. ii. c. 11. (sect. 1.), where he quotes Hoveden's account (in an. 786, Annal. P. i. p. 404.) of the "reverence paid to Pope Adrian's legates by Kineulfus." See also c. 12. sect. 1. His premisses fall certainly very far short of his conclusions.]

[k] [Surv., c. iv. sect. 1. p. 58, from] Bed., lib. iv. c. 18.

[l] [Bed., ibid.]

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in it? the pretended legate? no, but Theodore the Archbishop of Canterbury [m]. There is not the least footstep of any foreign jurisdiction or authority in the whole business.

Bishoprics erected in England by the Pope answered.

"They caused divers Bishoprics to be erected at the commandment of the Pope [n]."

If it had been proper for the Pope, or if he had had power, to have erected them himself, why did he put it upon others? To command them to erect new Bishoprics had been a power paramount indeed. This was more than to execute the canons. The history is recited not in the ninth chapter, but in the fifth chapter, of the second book 195
of William of Malmesbury "*De Gestis Regum Anglorum,*" not as his own relation, but transcribed out of a nameless writer,—"*Verbis eisdem quibus inveni scripta interseram* [o]." In the days of Edward the Elder "the region of the West-Saxons had wanted Bishops" (upon what ground doth not appear) "*per septem annos plenos*"—"seven whole years [p]." And it may be that some of the Bishoprics had been longer vacant, perhaps engrossed by the Bishops of Winchester and Shireborne, which two I find to have been always of great note in the court of the West-Saxon kings. The ground of my conjecture is the words of the author, "*Quod olim duo habuerunt in quinque diviserunt*"—"What two for some space of time had possessed, they divided into five [q]." Formosus the then Pope resented this; R. C. remembers what tragical stirs he made at Rome; but as to this particular, a better man might have done a worse deed. "He sent his letters into England"—"*misit in Angliam epistolas* [r];" and it seemeth that they were very high,—"*Quid a Papa Formoso præceptum sit* [r];" but *præceptum* signifies a lesson or instruction as well as a commandment: and again, "*Dabat excommunicationem et maledictionem Regi Edwardo et omnibus subjectis ejus*"—"He bestowed an excommunication and a curse upon King Edward and all his subjects [r]." Why, what had the poor subjects offended? or King Edward, for any thing that appeareth? This was sharp work indeed, the first summons an excom-

[m] [Id., ibid. et c. 17.]
[n] [Surv., c. iv. sect. 1. p. 58, as from Will.] Malmesb., [De Gestis Reg. Angl.,] lib. ii. c. 9.
[o] [Malmesb., De Gest. Reg. Angl., lib. ii. c. 5, ap. Savil. Rer. Anglic. Scriptor., p. 47.]
[p] [Id., ibid.]
[q] [Id., ibid., p. 48.]
[r] [Id., ibid., p. 47.]

munication with a curse. A man of Formosus his temper, who was indeed a Bishop of an Apostolical Church, though he violated his oath to obtain it, and who supposed himself to be not only the Patriarch of Britain but a master (of misrule) in the Church, might adventure far: but, to do him right, I do not believe that this was any formal sentence; that had been too palpably unjust before a citation. I remember not that any other author mentions it, which they would have done, if it had been a solemn interdict, in those days. And this nameless author calls it but an "epistle." Moreover he tells us of "honourable presents[s]" sent to the Pope, but not a word of any absolution; which had been more to his purpose, if this had been an excommunication. It could be nothing but a threatening, that unless this abuse were reformed he would hold no communion with them; as Victor a much better Pope, and in much better times, dealt with the Asiatics, over whom he had no jurisdiction. There is a vast difference between formal excommunication, and withholding of communion; as also between imposing ecclesiastical punishment, and only representing what is incurred by the canons. DISCOURSE III.

Where observe with me two things.

First, R. C. his great mistake, that here was a 'command to erect new Bishoprics,' to which the canons of the Fathers oblige not and therefore it must proceed from sovereign authority. Whereas here was only a filling or supplying of the empty sees. The author's words are "*de renovandis Episcopatibus*[t]," of "renewing," not "erecting," Bishoprics; and, "*per septem annos destituta Episcopis*[t]"—"they had wanted Bishops for seven years:" lastly, the names of the sees supplied, which were all ancient Episcopal sees from the first conversion of the West-Saxons, do evince this,—Winchester, Schireborne or Salisbury, Wells, Credinton now Exeter, and the Bishopric of Cornwall, called anciently St. Germans[u].

Secondly observe, that whatsoever was done in this business, was done by the king's authority. "*Congregavit Rex Edwardus synodum*"—"King Edward assembled a synod," saith the same author in the place cited; and he calls the sentence of the synod "*decretum regis*"—"the king's decree[x]."

[s] [Id., ibid., p. 48.]
[t] [Id., ibid., p. 47.]
[u] Id., ibid., lib. i. c. 6. [p. 35.]
[x] [Id., ibid., lib. ii. c. 5. pp. 47, 48.]

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This is more to prove the king's political Headship in convocating synods, and confirming synods, than all his conjectures and surmises to the contrary.

[Kinulphus and Offa.]

"They with all humility admitted legates of the Pope in the time of Kinulphus and Offa, and admitted the erection of a new Archbishopric in England [y]."

Why should they not admit legates? What are legates but messengers and ambassadors? The office of an ambassador is sacred, though from the Great Turk. But did they admit them to hold legantine courts, and swallow up the whole ecclesiastical jurisdiction of the kingdom? King Offa desired to have a new Archbishopric established at Lichfield within his own dominions; and, before he had the concurrence of Pope Adrian, had excluded the Archbishop of Canterbury out of the Mercian kingdom by royal authority. On the other side Kinulphus desired to have the Archbishopric settled, as it was formerly, at Canterbury [z]. This is nothing to enforced jurisdiction. England always admitted 196
the Pope's legates and his Bulls with consent of the king, but not otherwise. Here again he cites no authority but his own.

Clergymen not exempted from secular judges.

"They professed that it belonged to Bishops to punish priests and religious" men, and "not to kings [a]."

No man doubts of it in their sense, but they who leave nothing certain in the world. Here is nothing but a heap of confused generalities. In some cases the punishment of clergymen doth not belong to kings, but Archbishops; that is, cases of ecclesiastical cognizance, tryable by the canon-law, in the first instance. In other cases it belongs not to Archbishops, but to kings, to be their judges, as in cases of civil cognizance, or upon the last appeal; not that the king is bound to determine them in his own person, but by fit deputies or delegates. Plato makes all regiment to consist

[y] [Surv., c. iv. sect. 1, pp. 58, 59. from the] Flor. [Hist. Eccl. Gent. Angl.] lib. ii. c. 11. [(sect. 1.)]

[z] [See Spelman, Concil., tom. i. pp. 302, 303;—Collier, Ch. Hist., Pt. i. bk. ii. vol. i. p. 136; and, for King Offa's proceedings before he applied to the Pope, Will. Malmesb., De Gest. Reg. Angl., lib. i. c. 4. pp. 30, 31; De Gest. Pontif., lib. i. p. 193.]

[a] [Surv., c. iv. sect. 1. p. 59; quoting] Edgar., in Oratione ad Episcopos, ap. Ealred., [(or Aelred, De Reg. Angl., as printed from MS. in Harpsfield, Hist. Eccl. Angl., sæc. x. c. 3. pp. 186, 187. ed. 1622): and] Withred, [in Act. Concil. Becanceld. (A.D. 695),] ap. Spelman., Concil., [tom. i.] p. 192.

of these three parts, knowing, commanding, and executing[b]; the first belongs to the king and his council, the second to the king in his person, the third to the king by his deputies. So the king governs in the Church, but not as a Churchman; in the army, but not as a soldier; in the city, but not as a merchant; in the country, but not as a husbandman. Our kings did never use to determine spiritual or ecclesiastical causes in their own persons, but by meet selected delegates; persons of great maturity of judgment, of known dexterity in the canon laws, of approved integrity; and lastly, such (at least some of the number) as were qualified by their callings to exercise the power of the Keys, and to act by excommunication or absolution, according to the exigence of the cause: and who more proper to be such delegates in questions of moment than Archbishops and Bishops? This is so evident in our laws and histories, that it is not only lost labour but shame to oppose it.

King Edgar's words in the place alleged were these,—"*Meæ solicitudinis est,*" &c. "It belongs to my care to provide necessaries for the ministers of Churches," &c. "and to take order for their peace and quiet; the examination of whose manners belongs to you, whether they live continently, and behave themselves honestly to them that are without, whether they be solicitous in performing divine offices, diligent to instruct the people, sober in their conversations, modest in their habits, discreet in their judgments[c]." No man doubts of this. But for all this Edgar did not forget his kingly office and duty: see the conclusion of the same Oration to the Clergy. "*Contempta sunt verba, veniendum est ad verbera,*" &c. —"words are despised, it must come to blows. Thou hast with thee there the venerable Father Edelwald Bishop of Winchester, and Oswald the most reverend Bishop of Worcester. I commit that business to you, that persons of bad conversation may be cast out of the Churches, and persons of good life brought in, by your Episcopal censure, and my royal authority[d]." So Edgar did not forget his political Headship.

What King Withred said was spoken in the council of Becancelde, where he himself sat as a civil president and

[b] Plat., in Politico, [c. 10. ii. 267. A. B.] quoted, p. 186.]
[c] [Edgar., Orat. ad Episc., as above
[d] Ibid. [p. 187.]

PART I. where the decrees of the council issued in his name and by his authority,—"*Firmiter decernimus*[e]," &c. His words are these,—"It belongs to him" (the king) "to make earls, dukes, noblemen, princes, presidents, and secular judges, but it belongs to the Metropolitan or Archbishop to govern the Churches, to choose Bishops, Abbots, and other prelates," &c[f]. If King Withred had said, it belongs to the *Pope* to govern the Churches, it had made for his purpose indeed; but saying as he doth, "It belongs to the Metropolitan," it cuts the throat of his cause, and shews clearly what we say, that our Metropolitans are not subordinate to any single ecclesiastical superior. As for the bounds between the king and the Archbishop, we know them well enough; he needed not trouble his head about it.

Rome hath no certainty of infallibility.

"They suffered their subjects to profess, that '*qui non communicat Ecclesiæ Romanæ hæreticus est; quicquid ipsa statuerit, suscipio; et quod damnaverit, damno*[g]'"—"He is a heretic that holds not communion with the Church of Rome; what she determines, I receive; what she condemns, I condemn."

Supposing these to be the very words of Ealred, though I have no reason to trust his citations further than I see them; and supposing them to have been spoken in R. C. his sense; yet Ealred was but one doctor, whose authority is not fit to counterbalance the public laws and customs and records of a whole kingdom. Neither doth it appear that they who sat at the stern in those days did either suffer it, or so much as know of it. Books were not published then so soon as they were written, but lay most commonly dormient many years, 197
or perhaps many ages, before they see the sun. But Ealred his sense was not the same, it could not be the same, with R. C. his. No man in those days did take the Church of Rome for the Roman-Catholic or Universal Church, but for the diocese of Rome; which their best protectors do make to be no otherwise infallible than upon supposition of the inseparability of the Papacy from it, which Bellarmine himself confesseth to be but a probable opinion,—"*Neque Scriptura*

[e] [Act. Concil. Becanceld., ap. Spelman., Concil, tom. i. p. 191]

[f] [Ibid., p. 192.]

[g] [Surv., c. iv. sect. 1. p. 59. quoting] Ealred., Serm. [15,] in Isai. c. xiv. [The passage is in Serm. 23, in c. xv. vv. 1—4, ap. Biblioth. Patr., tom. xiii. p. 54. B; and is accurately quoted.]

neque Traditio habet, sedem Apostolicam ita fixam esse Romæ, ut inde auferri non possit"—"There is neither Scripture nor Tradition to prove that the Apostolic see is so fixed to Rome that it cannot be removed from it [h]." Therefore these words of Ealred cannot be applied to this present question, because the subject of the question is changed. And if they be understood simply and absolutely of an universal communion with the Church of Rome both present and future, they are unsound in the judgment of Bellarmine himself. It remains, therefore, that they are either to be understood of communicating in essentials; and so we communicate with the Church of Rome at this day: or that by the Church of Rome Ealred did understand the Church of Rome of that age, whereas all those exceptions, which we have against them for our not communicating with them actually in all things, are either sprung up since Ealred's time, or, at least, since that time made or declared necessary conditions of their communion. Lastly, I desire the reader to take notice, that these words of Ealred do contain nothing against the political supremacy of kings, nor against the liberties of the English Church, nor for the jurisdiction of the Court of Rome over England, and so might have been passed by as impertinent.

Superscriptions to Popes.

"They indited their letters to the Pope in these words, '*Summo et Universali Ecclesiæ Pastori Nicholao Edwardus Dei gratia Angliæ Rex debitam subjectionem et omnimodum servitium* [i].'"

It seemeth that the copies differ; some have not "*Pastori*" but '*Patri*,' nor "*Universali*" but '*Universalis Ecclesiæ*,' and no more but '*obedientiam*' for "*omnimodum servitium* [j]." But let him read it as he list, it signifies nothing. There cannot be imagined a weaker or a poorer argument than that which is drawn from the superscription or subscription of a letter. He that enrolls every man in the catalogue of his friends and servants, who subscribe themselves 'his loving or

[h] Bellarm., De Roman. Pontif., lib. iv. c. 4. [Op., tom. i. p. 962. B.]

[i] [Surv., c. v. sect. 1. p. 59: quoting] Ealred, De Vita et Mirac. Edw. Confess., [c. 6. § 19, ap. Acta SS. Bollandi, tom. i. p. 297; but with the three various readings mentioned below: in all of which also both Capgrave (Nov. Legend. Angl.) and Surius (Acta SS.) concur.]

[j] [So Bolland., &c., and Baronius, Annal. (in an. 1060. num. 9); and Spelman, Wilkins, Labb., and Harduin, &c. (in Act. Concil. Westmon. A.D. 1066,) have the first two variations, but not the third.]

PART I. obliged friends,' or 'his faithful and obedient servants,' will find his friends and servants sooner at a feast than at a fray. Titles are given in letters more out of custom and formality than out of judgment and truth. The Pope will not stick to indite his letter 'To the King of the Romans,' and yet suffer him to have nothing to do in Rome. Every one who indited their letters 'To the High and Mighty Lords the States General,' did not presently believe that was their just title before the king of Spain's resignation. Titles are given sometimes out of courtesy, sometimes out of necessity, because men will not lose their business for want of a compliment. He that will write to the great Duke of Muscovia must style him 'Emperor of Russia.' How many have lost their letters and their labours for want of a '*mon Frere*' or '*mon Cousine*'—'my brother' or 'my cousin!'

It were best for him to quit his argument from superscriptions, otherwise he will be shewed Popes calling princes their 'lords,' and themselves their 'subjects and servants;' yea, princes 'most glorious and most excellent lords,' and themselves 'servants of servants,' that is, servants in the superlative degree. They will find "Cyprian to his Brother Cornelius health [k]," and, "Justinian to John the most holy Archbishop of the city of Rome, and Patriarch [l]." Did St. Cyprian believe Cornelius to be his master, and style him "brother?" or owe obedience and service, and send but health? Had it been comely to style an ecclesiastical monarch plain "Archbishop" and "Patriarch," and for the Christian world to set down only "the city of Rome?"

But what doth he take hold on in this superscription to their advantage? Is it the word "*summo?*" That cannot be, it is confessed generally that the Bishop of Rome had priority of order among the Patriarchs. Or is it the word "*Universali?*" Neither can that be; all the Patriarchs were styled Œcumenical or Universal, not in respect of an universal power, but their universal care,—as St. Paul
2 Cor. xi. 28. saith, "The care of all the Churches did lie upon him,"—and their presidence in general Councils [m]. It cannot be the

[k] [Cypr., Epistt. 44, 45, 47, &c., Ad Cornelium.]

[l] [E. g. Authent., Collat. ii. tit. iv. Novel. 9. in superscript.]

[m] [See Just Vindic., c. viii. vol. i. pp. 253, 254.]

word "*Pastori*;" all Bishops were anciently called Pastors. Where then lies the strength of this argument? In the words "due subjection?" No; there is subjection to good advice as well as to just commands. The principal Patriarchs bore the greatest sway in a general Council; in that respect there was subjection due unto them. The last words, "all sorts of service," are not in some copies; and if they were ('*verborum ut nummorum*,') as they are commonly used, as well from superiors to their inferiors as from inferiors to their superiors, they signify nothing. DISCOURSE III. 198

I wonder he was not afraid to cite this superscription, considering the clause in Pope Nicholas his letter to King Edward, —"*Vobis vero et posteris vestris regibus committimus advocationem et tuitionem ejusdem loci et omnium totius Angliæ ecclesiarum, ut vice nostrâ, cum consilio Episcoporum et Abbatum, constituas ubique quæ justa sunt*[n]." King Edward by the fundamental law of the land was "the Vicar of God to govern the Church of God within his dominions[o];" but if he had not, here is a better title from the See of Rome itself than that whereby the king of Spain holds all the ecclesiastical jurisdiction of Sicily to him and his heirs at this day[p]. [viz. of Westminster.]

"They professed that it was heresy to deny that the Pope '*omni præsidet creaturæ*'—'is above every creature[q].'" How the Pope presideth above all creatures.

That is no more than to say, that the Bishop of Rome, as successor to St. Peter, is "*principium unitatis*"—"the beginning of unity," or hath a principality of order (not of power) above all Christians. It will be hard for him to gain anything at the hands of that wise and victorious prince Edward the Third; who disposed of ecclesiastical dignities, received homage and fealty from his prelates; who writ that so much admired letter to the Pope for the liberties of the English Church, "*cui pro tunc Papa aut Cardinales rationabiliter respondere nesciebant*"—"to which the Pope and Cardinals did not know at that time how to give a reasonable answer[r]," —wherein he pleads, that his ancestors had granted free

[n] Ealred, ibid. [viz., De V. et Mir. Edw. Confess. c. vi. § 22, as before quoted; and Spelm., Concil., an. 1066, tom. i. p. 634.]

[o] [See p. 128. note c.]

[p] [See Just Vindic., c. iv. vol. i. p. 138, c. vii. ib. p. 230.]

[q] [Surv., c. iv. sect. 1. p. 59, quoting] Walsingh., [Hist. Brevis,] Anno 1336, [p. 139. ed. Camd. 1603.]

[r] Walsingh., [ibid.,] Anno 1343, [p. 161.]

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elections "*ad rogatum et instantiam dictæ sedis*"—"upon the earnest entreaty of the See of Rome [s]," which now they endeavoured to usurp and seize upon; who made himself in Parliament the judge of all the grievances which the kingdom sustained from the Pope; who made express laws against the oppressions of the Roman Court, declaring publicly, that 'it was his duty' and that he was "bound by his oath" to "make remedies" against them [t]. This was more than twenty such compliments as this, which is most true in a right sense. That it was but a compliment appeareth evidently by this. The question was about Edward the Third's right to the crown of France, and his confederation with Lewis of Bavaria; these were no ecclesiastical matters. The king sent his ambassadors to the Pope, to treat with him about his right to the crown of France. But notwithstanding his "supereminent judgment," he gave them in charge to treat with the Pope "not as a judge, but as a private person and a common friend, not in form nor in figure of judgment [u]." He attributeth no more to the Pope, than to another man, —according to the reasons which he shall produce. His own words are these,—"*Parati semper nedum a vestro sancto cunctis presidente judicio, imo a quolibet alio, de veritate contrarii (si quis eam noverit) humiliter informari: et qui sponte rationi subjicimur, aliam datam nobis intelligi veritatem cum plenâ et humili gratitudine complectemur*"—"Being ready always humbly to be informed of the truth of the contrary (if any man know it), not only from your holy judgment being placed in dignity before all" (or as it is in another place, "before every creature,") "but from any other: and we, who are subject to reason of our own accord, will embrace the truth with humility and thankfulness, when it is made known unto us [x]." This was Edward the Third's resolution—to submit to reason and the evidence of the truth, from whomsoever it proceeded. Yet, though the case was merely civil, and not at all of ecclesiastical cognizance, and though Edward the Third did not, would not, trust the Pope with it as a judge, but as an indifferent friend, yet he gives him good

[s] [Id. ibid. p. 162.]
[t] 25 Edw. III. [Stat. 6. § 2. Stat. of Provisors.]
[u] Walsingh., [ibid.,] Anno 1343, [p. 163.] ed. Camd.
[x] [Litter. Edw. III. ad Benedict. XII. ap. eund., ibid., anno 1336, p. 140.]

words,—that "his judgment was placed in dignity above all creatures, which to deny was to allow of heresy [y]."

Why do we hear words, when we see deeds? The former Popes had excommunicated Lewis of Bavaria, and all who should acknowledge him to be emperor. Nevertheless Edward the Third contracted a firm league with him, and moreover became his lieutenant in the Empire. Pope Benedict takes notice of it, writes to King Edward about it, intimates the decrees of his predecessors against Lewis of Bavaria and his adherents, signifying that the emperor was deprived, and could not make a lieutenant. The king gives fair words in general; but, notwithstanding all that the Pope could do to the contrary, proceeds, renews his
199 league with the emperor and his commission for the lieutenancy, and trusted more to his own judgment than to the "supereminent judgment" of the Pope [z].

So he draws to a conclusion of this chapter; and though he have proved nothing in the world, yet he asks, "What greater power did ever Pope challenge than here is professed [a]?" Even all the power that is in controversy between us and them. He challenged the political headship of the English Church, under pretence of an ecclesiastical monarchy. He challenged a legislative power in ecclesiastical causes. He challenged a dispensative power above the laws, against the laws, of the Church, whensoever, wheresoever, over whomsoever. He challenged liberty to send legates, and hold legantine courts in England, without licence. He challenged the right of receiving the last appeals of the king's subjects. He challenged the patronage of the English Church, and investitures of Bishops, with power to impose a new oath upon them contrary to their oath of allegiance. He challenged the first-fruits and tenths of ecclesiastical livings, and a power to impose upon them what pensions or other burdens he pleased. He challenged the goods of clergymen dying intestate, &c. All which are expressly contrary to the fundamental laws and customs of England.

He confesseth, that "it is lawful to resist the Pope, invading either the bodies or the souls of men, or troubling the [When it is lawful to resist the Pope.]

[y] [Id., ap. eund., ibid. p. 139.]
[z] Walsingh., ibid. [pp. 136, sq.]
[a] [Surv., c. iv. sect. 1. pp. 59, 60.]

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commonwealth, or endeavouring to destroy the Church[b].” I ask no more. Yea, “forsooth,” saith he, “If *I* may be judge, what doth invade the soul[c].” No. I confess I am no fit judge. No more is he. The main question is, who shall be judge; what are the liberties and immunities of a national Church, and what are the grievances which they sustain from the Court of Rome. Is it equal, that the Court of Rome themselves should be the judges, who are the persons that do the wrong? Nothing can be more absurd. ‘In vain is any man’s sentence expected against himself.’ The most proper and the highest judicature upon earth in this case, is a general Council, as it was in the case of the Cyprian Bishops and their pretended Patriarch. And until that remedy can be had, it is lawful and behoveth every kingdom or national Church, who know best their own rights and have the most feeling where their shoe wrings them, to be their own judges; I mean only by a judgment of ‘discretion,’ to preserve their own rights inviolated, and their persons free from wrong, ‘*sub moderamine inculpatæ tutelæ*.’ And, especially, sovereign princes are bound, both by their office and by their oaths, to provide for the security and indemnity of their subjects; as all Roman Catholic princes do when they have occasion.

[Authority of the Bishop of Rome neither of Divine nor of Apostolical institution.]

And here he falls the third time upon his former theme, that, ‘in things instituted by God, the abuse doth not take away the use[d].’ Which we do willingly acknowledge, and say with St. Austin, “*Neque enim . . . si peccavit Cæcilianus, ideo hæreditatem Suam perdidit Christus, . . . et sceleratæ impudentiæ est propter crimina hominis, quæ orbi terrarum non possis ostendere, communionem orbis terrarum velle damnare.*”—“Neither, if Cecilian offended, did Christ therefore lose His inheritance,” and, “it is wicked impudence for the crimes of a man, which thou canst not shew to the world, to be willing to condemn the communion of the world[e].” But neither was that authority of the Bishop of Rome, which we have rejected, either of Divine or Apostolical institution; nor have we rejected it for the personal faults of some Popes, but because it

[b] [Ibid., pp. 60,61; quoting Bellarm. De Roman Pontif., lib. ii. c. 29. (Op. tom. i. p. 920. A.)]

[c] [Ibid., p. 61.]

[d] [Ibid., pp. 60—62.]

[e] August., Ep. 50. [editt. before Bened.—185, Ad Bonifac., c. i. § 4. tom. ii. p. 644. E. ed. Bened.]

was faulty in itself; nor have we separated ourselves from the conjoined communion of the Christian world in any thing. I wish the Romanists were no more guilty thereof than we. DISCOURSE III.

SECTION THE SECOND.

Of King Henry's exemption of himself from all spiritual jurisdiction[f] we have spoken formerly in this very chapter[g].

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CHAP. V.

[THE BRITANNIC CHURCHES WERE FREE FROM ALL FOREIGN JURISDICTION FOR THE FIRST SIX HUNDRED YEARS, AND SO OUGHT TO CONTINUE.]

[SECTION THE FIRST.]

THE scope of my fifth chapter was to shew, that "the Britannic Churches were free from all foreign jurisdiction for the first six hundred years, and so ought to continue[h]." For the clearing of which point I shewed, that there was a parity of power among the Apostles, and that the sovereignty did not rest in any single Apostle, but in the Apostolical college: I shewed, that in the age of the Apostles, and the age next succeeding, the highest order in the Church, under the Apostles, were national Protarchs or Patriarchs; and by what means, and upon what grounds, in after ages, some of these Patriarchs came to be exalted above the rest and to obscure their fellows[i]. [Argument of the fifth chapter of the Vindication.]

But each of these within their own Patriarchates did challenge a jurisdiction independent upon any single superior; as might be made clear by many instances. When Athanasius and Paulus procured the letters of Pope Julius for their restitution (I meddle not with the merits of the cause), the Bishops of the East "took the reprehension of Julius as a contumely;" they "called a Council at Antioch, they accused Julius sharply," and "shewed that he had nothing to do to contradict Patriarchs independent upon a single superior.

[f] [Surv., c. iv. sect. ii. pp. 62, 63.]
[g] [See above pp. 130, 131.]
[h] [Just Vindic., c. v. title, vol. i. p. 152.]
[i] [Ibid., pp. 152—156.]

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them, more than they did contradict him when he thrust Novatus out of the Church[k]." Neither did the great Proto-Patriarchs challenge this independency only, but other lesser Patriarchs also, as St. Cyprian. When Fortunatus, Felicissimus, and others, being sentenced and excommunicated in Afric, addressed their complaint to the Bishop of Rome, let us hear what St. Cyprian said of it.—"What cause had they to come and relate the making of a false Bishop against" true "Bishops? Either that which they have done pleaseth them, and they persevere in their wickedness; or if it displease them, and they fall from it, they know whither to return. For whereas it is decreed by us all, and it is equal and just, that every one's cause should be heard there where the crime was committed; and a certain portion of the" Lord's "flock is assigned to each Pastor, which he is to govern, and to give an account of his actions to the Lord; therefore it behoveth those whom we are over not to run up and down, nor to break the firm concord of Bishops by their subtle and deceitful rashness, but to plead their cause there where they may have both accusers and witnesses of their crimes; unless the authority of the African Bishops, who have sentenced them already, seem to a few desperate cast-aways to be inferior[l]," &c. To say, with Bellarmine[m], that St. Cyprian speaks only of the first instance, is to contradict St. Cyprian himself, who saith expressly that the cause had been "*sentenced* already" in Afric.

[dicta sententia est] ‡

[Remaining argument of the chapter in the Vindication stated.]

Then I shewed the bounds of the ancient Roman Patriarchate out of Ruffinus[n].

The rest of the chapter may be reduced to a syllogism.

Whatsoever Church or Churches were free and exempted from the foreign jurisdiction of the Roman Court from the beginning, until the general Council of Ephesus, and after until the six hundredth year of Christ, ought to continue free and exempted for ever, notwithstanding the subsequent usurpation of any foreign prelate or Patriarch.

This was clearly and irrefragably proved out of the words

[k] Soorat., [Hist. Eccl.,] lib. ii. c. [15.]

[l] Cypr., Epist., lib. i. Ep. 3. [ed. Erasm.—Ep. 59. pp. 136, 137. ed. Fell.]

[m] [Bellarm., De Rom. Pontif., lib. ii. c. 23, Op. tom. i. pp. 792. D, 793. A.]

[n] [Just Vindic., c. v. vol. i. p. 156.]

of the Council itself[o]. And if the Bishop of Rome did intrude himself after that time he is a robber and an usurper, and can never prescribe to a legal possession, according to the famous rule of the law,—"*Adversus furem æterna authoritas esto*[p]."

Britain enjoyed the Cyprian privilege.

But the Britannic Churches were free and exempted from the foreign jurisdiction of the Roman Court from the beginning until the general Council of Ephesus, and after until the six hundredth year of Christ.

This assumption was proved,

First, by their silence, upon whom the proof in law doth rest; being not able to produce one instance of the exercise of their jurisdiction in Britain, or any of the Britannic Islands, for the first six hundred years, and in some parts of them scarcely for twelve hundred years[q]. When the Pope's legate would have entered into Scotland to visit the Churches there about the year 1238, Alexander the Second, then king of the Scots, forbad him to do so, alleging, that "none of his predecessors had ever admitted any such, neither would he suffer it;" and
201 therefore willed him at his own peril to forbear[r]. Secondly, by priority of foundation, the Britannic Church being the elder sister, and ancienter than the Roman, and therefore could not be subject to the Roman Church from the beginning; that was, before there was a Roman Church[s]. Thirdly, it was proved by the right of ordination and election of all our primates. For "all other right of jurisdiction doth follow" or pursue "the right of ordination:" but it is most evident, that all our British Primates, or Archbishops, were nominated and elected by our princes with synods, and ordained by their own suffragans at home[t]; as Dubricius, St. David, Sampson &c., not only in the reigns of Aurelius Ambrosius, and King Arthur, but even until the time of Henry the First, after the eleven hundredth year of Christ, as Giraldus Cambrensis witnesseth,—"*Semper tamen*," *&c.*—"Yet always until the full conquest of Wales by the king of England, Henry the First, the Bishops of Wales were consecrated by the Archbishop of St. David's; and he likewise was consecrated by

[o] [Ibid., pp. 156, 157. ex Act.] Concil. Ephes., Part [ii.] Act. 7. [ap. Labb., Concil., tom. iii. p. 802.]

[p] [Inter Legg. XII. Tabb.]

[q] [Just Vindic., c. v. vol. i. pp. 159, 160, 161.]

[r] Matt. Paris., [Hist. Angl.,] in Hen. III. anno 123[9, p. 498.]

[s] [Just Vindic., c. v. vol. i. p. 160.]

[t] [Ibid., pp. 159. 161, 162.]

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other Bishops as his suffragans, without professing any manner of subjection to any other Church[u]." But principally it was proved by the answer of Dionothus, the reverend and learned Abbot and Rector of the monastery and University of Bangor, and from the solemn sentence or decree of two British synods in the point, recorded by all our historiographers, who write the acts of those times[x].

I confess he nibbles here and there at some odd ends of this discourse, but taketh no manner of notice of the main grounds; especially the two British synods, which are express in the point, and the answer of Dionothus—that they refused absolutely to submit to the jurisdiction of the Pope, or to receive Austin for their Archbishop; that "as for that man whom they called the Pope, they owed him no obedience but the obedience of love;" that "they were immediately, under God, subject to the Bishop of Caerleon[y]."

But let us take a view of his exceptions.

Bellarmine makes the Apostles all equal in power.

First, he saith, that "Bellarmine hath not these words,"—that Christ, in saying these words, "'As My Father sent Me so send I you,' did endue His Apostles with all fulness of power, that mortal men were capable of[z]."

Neither did I cite his words, but his sense, as he might see by the character[a]; but that Bellarmine said as much or more than this, I will now make it good. Let him speak for himself. "Therefore, that the Apostles received their jurisdiction immediately from Christ, first, the words of our Lord do testify,—'As My Father sent Me, so send I you,'—which place the Fathers Chrysostom[b] and Theophylact[c] do so expound, that they say plainly that the Apostles were made by these words the Vicars of Christ; yea, that they received the very office and authority of Christ." He addeth out of St. Cyril[d], that "by these words the Apostles were . . . created 'Apostles and doctors of the whole world;' and

John xx. [21.]

[u] Itinerar. Cambr., lib. ii. c. 1.

[x] [Just Vindic., c. v. vol. i. pp. 162-164.]

[y] [Ibid., pp. 162, 163; and c. vii, ib. pp. 201, 202.]

[z] [Surv., c. v. sect. 1. p. 64, quoting Bellarm., De Roman. Pontif., lib. iv. c. 21. (a misprint, as it would seem, for 23.)]

[a] [Just Vindic., c. v. vol. i. p. 153. The words are in the ordinary Roman type in the original edition.]

[b] ["Το ἔργον Αὐτοῦ." Chrys., Hom. lxxxvi (alit. lxxxv). in Joan. Evang., Op. tom. ii. p. 921. ll. 20, 21.]

[c] ["Τὸ ἔργον τὸ Ἐμόν." Theophyl., Enarratt. in Joan. Evang., c. xx., Op. tom. i. p. 763. C. ed. Venet. 1754.]

[d] [Comment. in Joan. Evang., lib. xii. in c. xx. v. 21, pp. 1093. E. 1094. A. ed. Paris. 1638.]

that we might understand, that all ecclesiastical power is contained in Apostolical authority, therefore Christ added, 'As My Father sent Me,' *siquidem Pater misit Filium summâ potestate præditum.*" Further he proveth out of St. Cyprian[e], that "whatsoever power Christ did promise or give to St. Peter, when He said, 'To thee will I give the Keys of the Kingdom of Heaven,' and, 'Feed My Sheep,' He did give *parem potestatem*"—"an equal power to the rest of the Apostles in these words." And afterwards he calleth it "*jurisdictionem plenissimam*"—"a most full jurisdiction[f]." Lay all this together,—that "by these words He made them the Vicars of Christ," and "conferred upon them the very office and authority of Christ," made them "Apostles and doctors of the whole world," gave them "all ecclesiastical power," "an equal power to St. Peter's," and, lastly, "a most full jurisdiction;"—and compare them with that which I said,—"that by these words Christ gave them all the plenitude of ecclesiastical power that mortal men were capable of;"—and if he say not *more* than I did, I am sure he saith no *less*. Is "mortal man capable of" more than the Vicariate of the Son of God, yea, of His office and authority? Can any thing be more high than that which is "highest," more full than that which is "fullest," or more universal than that which comprehends "all ecclesiastical power" within it? It had been sufficient to my purpose if he had said no more but only that it was "equal to St. Peter's." If it were needful, I might cite other places out of Bellarmine to make my words good:—"Therefore the Lord left unto His Apostles" (by these words) "His own place, and would that they should enjoy His authority in governing the Kingdom[g]."

Discourse III.

But "Bellarmine telleth" us, "that this is meant not in respect of themselves, but in respect of" all "other men[h]." I know Bellarmine saith so, not in this place but elsewhere[i].

202 But,—

First, he saith it upon his own head without any authority. None of the Fathers ever taught, that St. Peter had a

[e] [De Unit. Eccl., Op. pp. 106, 107.]
[f] De Roman. Pontif., lib. iv. c. 23. [Op. tom. i. p. 1045. B-D.]
[g] De Roman. Pontif., lib. iv. c. 16. [Op. tom. i. p. 1020. B.]
[h] [Surv., c. v. sect. 1. p. 64.]
[i] De Roman. Pontif., lib. i. c. 12. [Op. tom. i. p. 656. C.]

PART I. supremacy of power and jurisdiction over the rest of the Apostles. All that they say is, that he was "the beginning of unity," and the "head of the Apostolical college," that is, in order and eminence,— "*Princeps Apostolorum*[k]," as Virgil is called the prince of poets, or St. Paul the "head of nations[l]," or St. James the 'Bishop of Bishops[m].'

Secondly, this answer is altogether impertinent. The question is not, between us, what the Apostles were in respect of their personal actions among themselves one towards another; though even this were absurd enough, to say, that St. Peter had power to suspend his fellow-Apostles, either in their offices or in their persons: but the question between us is, what the Apostles were in respect of the government of the Christian world; wherein by this distinction he granteth them all to be equal.

Thirdly, by his leave, he contradicts himself. For, if St. Peter had any power and jurisdiction over the rest of the Apostles, and they had none mutually over him, then it was not "*par potestas*"—"an equal power," for '*par in parem non habet potestatem*;' if his power was fuller than theirs, then theirs was not "*plenissima potestas*;" if his power was higher than theirs, then theirs was not "*summa potestas*;" if there was some ecclesiastical power which they had not, then "all ecclesiastical power" was not "comprehended in Apostolical authority;" then the power of opening and shutting is larger than the power of binding and loosing, and to "feed Christ's sheep" is more than to be "sent as His Father sent Him;" all which is contrary both to the truth and to what himself hath taught us.

Lastly, if St. Peter had not only a primacy of order but also a supremacy of power and jurisdiction over the rest of the Apostles, then his successors, Linus, and Cletus, and Clemens, were superiors to St. John, and he was their subject, and lived under their jurisdiction; which no reasonable Christian

[k] [E. g. Hieron., Dialog. adv. Pelagian., lib. i, Op. tom. iv. P. ii. p. 491.— Greg. M., Explan. Ps. iv. Pœnitent., in v. 16, Op. tom. iii. P. ii. p. 503. B.]

[l] ["Caput Nationum." Greg. M., Comment. in I.mum Reg., lib. i. c. 5. § 28, Op. tom. iii. P. ii. p. 250. C. See Barrow, on the Pope's Suprem., Answ. to Suppos. 1. pp. 74, 75. Works, vol. i.]

[m] ["Ἐπισκόπων Ἐπίσκοπε." Epist. I. Pseudo-Clement. Roman. ad Jacob., in superscript.; ap. Coteler. Patr. Apostol., tom. i. p. 611. ed. Cleric. See also Barrow as above quoted, pp. 73, 74.]

will easily believe. "*Hoc erant utique et cæteri Apostoli quod fuit et Petrus, pari consortio præditi et honoris et potestatis; sed exordium ab unitate proficiscitur, et primatus Petro datur, ut Ecclesia una monstretur*[n]." If they were "equal in honour and power," then the primacy must be of order. That these words, "To thee will I give the Keys," and, "Feed My sheep," do include "power and authority," I grant; but that they include a supremacy of power over the rest of the Apostles, or that they include more power than these other words, "As My Father sent Me, so send I you," I do altogether deny. Discourse III.

I acknowledge the words of St. Hierome, that "one was chosen, that a head being constituted the occasion of schism might be taken away[o]." But this head was only a head of order. And truly, what St. Hierome saith in this place, seemeth to me to have reference to the persons of the Apostles, and by "schism" to be understood contention and altercation among the Apostles themselves, which of them should be the greatest, as Mark ix. 34. To this I am induced to incline; first, by the word "*occasio*,"—he saith not as elsewhere "for a *remedy* of schism[p]," but to take away "*occasion* of schism" or contention; secondly, by the words following in St. Hierome, "*Magister bonus qui occasionem jurgii debuerat auferre discipulis*"—"to take away occasion of chiding from His disciples," and, "*in adolescentem quem dilexerat causam præbere videretur invidiæ*,"—because Peter was the eldest and John the youngest, our Saviour "would not seem to give cause of envy against him whom He loved[q]." To "take away occasion of chiding from His disciples," and, "not to give cause of envy against His beloved disciple," do seem properly to respect the Apostolical college. But let this be as it will; I urge no man to quit his own sense. How Peter head of the rest.

He presseth his former argument yet further, that a supe- A superiority of

[n] Cypr., De Unit. Eccl., [Op. pp. 107, 108. The words "Et primatus Petro datur" are omitted by Fell as spurious.]

[o] ["Tamen propterea inter duodecim unus eligitur, ut capite constituto schismatis tollatur occasio." Hieron.,] Cont. Jovinian., lib. i. c. 14. [ed. Basil. 1492. —Op. tom. iv. P. ii. p. 168. ed. Bened.; alluded to by R. C., Surv., c. v. sect. 1. p. 64.]

[p] ["In schismatis remedium." Id., Epist. 101, Ad Evang., Op. tom. iv. P. ii. p. 803; speaking of the appointment of Bishops.]

[q] [Id., Cont. Jovinian., as before quoted.]

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riority of "order" is not sufficient to take away schism, without a superiority of "power and authority[r]."

order is sufficient to prevent schism.

I answer,—

That in all societies a head of order is necessary to prevent and remedy schism; that there may be one to convocate the society, to propose doubts, to receive votes, to pronounce sentence: and if there be a judiciary "power and authority" in the body of the society, it is a sufficient remedy against schism. As, in a College, schism is as well prevented by placing the power jointly in the Provost and Fellows, as by giving the Provost a monarchical power over the Fellows:— and in the Catholic Church, by placing the supremacy of ecclesiastical power in a Council, or [? as] by placing it in 203
a single person. And thus the sovereign power over the universal Church was ever in an Oecumenical Council; until of later days, that the Popes, having gotten into their hands the bestowing of the most and best ecclesiastical preferments in Europe, did find out their own advantage in that behalf above a general Council, which hath neither dignities nor benefices to bestow.

When, or where, or by whom, the primacy of order was conferred upon St. Peter, it concerns R. C. to enquire more than me.

SECTION THE SECOND.

The rest pastors as well as Peter.

They have yet another evasion,—that the highest ecclesiastical power was given, not only to St. Peter, but to all the rest of the Apostles; but to St. Peter, as an ordinary pastor,— to descend from him to his successors, "because they were appointed Heads of the Universal Church, which they could not govern without universal power;" and to the rest of the Apostles, as delegates or commissioners, "only for term of their lives," "not to descend to their successors[s]." This distinction I called a "drowsy dream," hatched lately "without either reason or authority Divine or human[t]." Against this he takes exception.

[r] [Surv., c. v. sect. 1. p. 65.]
[s] [Ibid. sect. 2. pp. 65—67.]
[t] [Just Vindic., c. v. vol. i. p. 153, quoted by R. C., Surv., ibid. p. 67. See also Just Vindic., c. viii. vol. i. pp. 252, 253.]

And I am ready to maintain my assertion:—that, if he can produce but one text of Holy Scripture expounded in this sense by any one ancient interpreter, or but one sentence of any one Council or single Father for a thousand years after Christ, who taught any such doctrine or made any such distinction as this is, directly without far-fetched consequences, and I will retract: but I am confident he cannot produce one author or authority in the point. All his reason is, because St. Peter was the ordinary pastor of the Church and the rest of the Apostles but delegates, which is a mere begging of the question. Neither was St. Peter sole pastor of the Church; nor his [? is] universal authority necessary to a true pastor; neither were the Apostles mere delegates, for then they could have had no successors, which yet he acknowledgeth that they had. Sometimes Bellarmine will admit no proper successors of the Apostles, no, not of St. Peter, as an Apostle[u]. At other times he makes the Pope an "Apostolical" Bishop, his see to be an "Apostolical see," and "his office to be an Apostleship[x]." It is strange the Spirit of God should be so silent in a piece of doctrine which they assert to be so necessary; and that the blessed Apostles, and the Nicene Fathers, and holy Athanasius, should be so forgetful, as not to insert it into their Creeds; but that the whole Church should be ignorant of such a mystery for fifteen hundred years, is not credible.

I pass by their comparison of a Bishop, who is pastor and ordinary of his diocese, whose office descends to his successors, and a friar licensed by the Pope to preach throughout the same diocese, whose office determineth with his life[y]. So what they cannot prove they endeavour to illustrate. Before they told us that the Apostles were the Vicars of Christ,—are they now become the Vicars of St. Peter and his coadjutors? Before they taught us that the Apostolical power was "*summa et plenissima potestas*"—"a most high, a most full power," and "comprehended all ecclesiastical power[z];"—and is it now changed to a "licence to preach?"

[u] [Bellarm.,] De Roman. Pontif., lib. iv. c. 25. [Op., tom. i. p. 1049. C.]

[x] [Id., ibid.,] lib. i. c. 9. [Op., tom. i. p. 632. D.]

[y] [Cajetan., De Autoritate Papæ et Concil., c. 3. in fine.]

[z] [See above, pp. 152, 153.]

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No, the Apostles had more than "licences to preach," even as ample power to govern as St. Peter himself. The Pope, having instituted one man into a Bishopric, cannot during his incumbency give the joint-government of his Church to another. This were to revoke his former grant.

Universality an incommunicable qualification of the Apostles.

I confess, that which R. C. saith, is in part a truth;—that the rest of the Apostles did not leave an universal and Apostolical authority and jurisdiction to their successors. But it is not the whole truth, for no more did St. Peter himself. The Apostles had diverse things peculiar to their persons and proper for the first planters of the Gospel, which were not communicated to any of their successors: as universality of jurisdiction, for which their successors have assignation to particular charges; immediate or extraordinary vocation, for which their successors have Episcopal ordination; the gift of strange tongues and infallibility of judgment, for which we have Christian schools and Universities; the grace of doing miracles, and giving the Holy Ghost by imposition of hands. If the Bishops of Rome will take upon them to be St. Peter's heirs '*ex asse*,' and pretend that their office is an Apostleship, and that they themselves are truly "*Apostolici*," excluding all others from that privilege; let us see them do some miracles, or speak strange languages, which were Apostolical qualifications. If they cannot, certainly they are not St. Peter's heirs '*ex asse*;' and though their see 204 be Apostolical, yet their office is no Apostleship. Nor may they challenge more than they shew good evidence for, or than the Church is pleased to confer upon them. The Bishops of Rome pretend to none of these privileges, but only this of universal jurisdiction; for, though they challenge besides this an infallibility of judgment, yet it is not an Apostolical infallibility, because they challenge no infallibility by immediate revelation from God, but from the diligent use of the means; neither do they challenge an infallibility in their sermons and writings, as the Apostles did, but only in the conclusions of matters of Faith[a]. And why do they pretend to this Apostolical qualification more than any of the rest? Either because that, if they should pretend to any of the rest, the deceit would presently be

[a] [See Bellarm., De Roman. Pontif., lib. iv. c. 2.]

discovered; for all men know that they can work no miracles, nor speak strange languages, nor have their calling immediately from Heaven, but are elected by their Conclave of Cardinals, many times not without good tugging for it: or else because this claim of universal power and authority doth bring more moliture to their mill, and more advantage to the Court of Rome.

This is certain, that, when the Pope is first elected Bishop, it may be of some other see, before he be elected Pope, he is ordained after the ordinary form of all other Bishops; he receives no other, no larger character, no more authority and power either of order or of jurisdiction, than other ordinary Bishops do. Well, after this he is elected Pope, but he is ordained no more. Then seeing the power of the Keys and all habitual jurisdiction is derived by ordination, and every Bishop receiveth as much habitual jurisdiction at his ordination as the Pope himself,—tell me, first, how the Pope comes to be "the root of all spiritual jurisdiction?" which, though it be not the general tenet of the Roman Church, as R. C. saith truly[b], yet it is the common doctrine of the Roman Court: secondly, tell me, how comes this dilatation of his power, and this Apostolical universality? since all men do confess, that the same power and authority is necessary to the extension of a character or grace given by ordination, which is required to the institution of a Sacrament, that is, not human but Divine; but the election of the Cardinals is a mere human policy, without all manner of Sacramental virtue, and therefore can neither render his judgment infallible nor his jurisdiction universal. What can the new election do? Only apply the new matter, that is, make him Bishop of that see whereunto he is elected. They who elect him are the Bishops of the Roman province and the presbyters and deacons of the Church of Rome; fit persons indeed to choose a Bishop of Rome, but no fit persons to choose an universal Bishop for the whole Church. It were too much honour for one nation to have the perpetual regiment of Christ's Church throughout all ages. And whom do the Conclave choose? An universal pastor? No, but expressly a Bishop of Rome.

[b] [Surv.,] c. viii. sect. 2. [not paged.]

PART I.

All Episcopal jurisdiction is not derived from the Pope.

They have a third novelty, as ill as either of these which I touched even now,—that, the regiment of the Church being monarchical, as in a kingdom all civil authority is derived from the king, so in the Church all ordinary jurisdiction of Bishops descends immediately from the Pope[c].

If all ecclesiastical jurisdiction be derived from the Pope, as all civil authority is from the king; then, as civil magistrates do exercise their civil authority in the name of the king, so Bishops ought to exercise their spiritual jurisdiction in the name of the Pope: but this they do not, this they never did. Again, if spiritual jurisdiction be derived to Bishops from the Pope, by what way, by what means, by what channel, doth it descend? Either it must be by commission, or by ordination. But it is not by commission. No Bishops did ever need or expect any commission from Rome for the exercise of ecclesiastical jurisdiction within his diocese. Neither is it by ordination. They are very few indeed, that receive ordination from the Pope. How many thousand Bishops have been and are still in the world, that never received any ordination from any Pope either mediately or immediately, but derive the line of their succession from the other Apostles? If ecclesiastical jurisdiction be conveyed by ordination, then it is a part of the character or grace conferred, which is Divine and Sacramental. I hope the Pope will be wiser than to challenge to 205
himself the conferring of Sacramental grace.

SECTION THE THIRD.

The Chair of St. Peter not fixed to Rome by Divine right. [Acts xi. 26.]

I made a question, "how the Bishop of Rome came to be St. Peter's heir '*ex asse*,' to the exclusion of his eldest brother the Bishop of Antioch[d]," where St. Peter was first Bishop[e], where Christians had their first denomination. I had reason, for I never read that the Church was governed by the law of gavelkind,—that the youngest must inherit.

[c] Bellarm., De Roman. Pontif., lib. iv. c. 24. [Op. tom. i. pp. 1046. D, 1047. A.]

[d] [Just Vindic., c. v. vol. i. p. 154.]

[e] [Euseb., Chron., in A. D. 43.—Hieron., Comment. in Epist. ad Galat. c. ii. Op. tom. iv. P. i. p. 244.—&c.]

I said moreover, that they "produced" nothing "that I had seen but a blind legend out of a counterfeit Hegesippus[f]." I spake not this to the disparagement of that venerable Saint, but to discredit that supposititious treatise. He saith, "If I had read Bellarmine, I should have found the same testified by St. Marcellus the Pope, by St. Ambrose, and St. Athanasius[g]." I have read Bellarmine, and I find no such thing testified by Marcellus, more than this, "that Peter came to Rome by the commandment of the Lord[h];" nor by Athanasius, more than this, that "when Peter heard that he must undergo martyrdom at Rome, he did not lay aside his voyage, but came to Rome with joy[i]." What conclusion can any man make from these premisses? St. Ambrose indeed saith more, but as little to his purpose,—that "St. Peter, being about to go without the walls in the night, did see Christ meet him in the gate, and enter into the city," to whom Peter said, "Lord whither goest Thou? Christ answered, I come to Rome to be crucified again;" and that Peter "understood, that the answer of Christ had relation to his own martyrdom[k]." I have likewise read what Bellarmine citeth out of St. Gregory elsewhere,—that Christ said to St. Peter, "I come to Rome to be crucified again; for He, Who had been crucified long before in His own Person, said that He was to be crucified again in the person of St. Peter[l]." Though these things be altogether impertinent, yet I rehearse them the more willingly, to let the reader see upon what silly grounds they build conclusions of great weight. We receive the Fathers as competent witnesses of the Faith and practice and tradition of the Church in their respective ages; we attribute much to their expositions of the Holy Text; but, in those things which they had upon

[f] [Just Vindic., ibid. From Hegesipp. (?), De Excid. Hieros., lib. iii. c. 2. (fol. 34, 2. ed. Paris, 1500), quoted by Platina, in V. Scti. Petri, p. 6, 1.]

[g] [Surv., c. v. sect. 3. p. 68, from] Bellarm., De Roman. Pontif. lib. ii. c. 12. [Op., tom. i. p. 743. C. D.]

[h] [Marcell., Epist. ad Antiochen. (ap. Harduin., Concil., tom. i. p. 221), as quoted by Bellarm., ibid. The Epistle is spurious.]

[i] [Athanas., Apolog. de Fugâ Suâ (§ 18, Op. tom. i. p. 331. A.), as quoted by Bellarm., ibid.]

[k] [Ambrose, Orat. Cont. Auxent. (§ 13, in Epist. 21, Ad Valentin., Op. tom. ii. p. 867. A.), as quoted by Bellarm., ibid.]

[l] [Greg. M., Explan. Psalm. (v.) Pœnit. (§ 3, Op. tom. iii. P. ii. p. 512. E.), as quoted by] Bellarm., De Roman. Pontif., lib. i. c. 23. [Op., tom. i. p. 691. A.]

PART I. the credit of a supposititious author, the conclusion always follows the weaker part. How common a thing hath it been for credulous piety to believe and to record rumours and uncertain relations, if they see no hurt in them, and if they tended to piety? But in a case of this moment,—to give an infallible judge to the Church and a spiritual prince to the Christian world, to whom all are bound to submit under pain of damnation,—we ought to have had better authority than such a blind history. Yet this is all the plea they have in the world for the Divine right of their succession. How came St. Ambrose, or St. Gregory, to know a matter of fact done some centuries of years before they were born? They had it not by revelation; nor other authority for it than this of a counterfeit Hegesippus, in the judgment both of Baronius[m] and Bellarmine[n] (except only the borrowed name) not much ancienter than themselves.

Supposing that St. Peter had had such a spiritual monarchy as they fancy, and supposing that this apocryphal relation was as true as the Gospel, yet it makes nothing in the world for the Pope's succession to St. Peter therein, but rather the contrary. That St. Peter "*sub finem vitæ*"—"just upon the point of his death" was leaving of Rome[o], sheweth probably that he had no intention to die there or to fix his see there. That Christ did premonish him of his martyrdom in Rome, and that he assented to it with joy, hath nothing in it to prove, or so much as to insinuate, either the act of Christ, or the act of St. Peter, to invest the Bishop of Rome with the sovereignty of ecclesiastical power. Had they urged this history only to shew how Christ fore-arms His servants against impendent dangers, or how He reputes their sufferings for His sake to be His own, it had been to the purpose; but they might even as well prove the Pope's supremacy out of our Saviour's words in the Gospel to St. Peter,—"When thou art old, thou shalt stretch forth thy hands, and another shall gird thee, and carry thee whither thou wouldest not;"—for our Saviour did "signify" by these words "by what death St. Peter should glorify God." These words have authority,

John xxi. 18, [19.]

[m] [Annal., in an. 72. num. 27.]
[n] [De Scriptor. Eccles., in Egesipp., p. 65. ed. Lugd. 1675.]
[o] [Id., De Roman. Pontif., lib. i. c. 23, Op. tom. i. p. 690. D.]

though they be nothing to the purpose; but those they cite have neither authority, nor any thing that comes near the purpose.

They see this well enough themselves, what a weak, unjointed, and unnecessary consequence this is; wherefore they
206 suppose, that Christ said something to St. Peter which is not recorded, to command him to fix his chair at Rome. "*Non est improbabile Dominum etiam aperte jussisse, ut sedem suam Petrus ita figeret Romæ, ut Romanus Episcopus absolute ei succederet*[p]"—because some Fathers say, that Peter did suffer martyrdom at Rome by the commandment, or at least according to the premonition, of Christ, "it is not improbable that the Lord did likewise openly command him that he should so fix his chair" (or see) "at Rome, that the Roman Bishop should absolutely succeed him." Judge reader freely, if thou didst ever meet with a poorer foundation of a Divine right,—because it seemeth "not improbable" altogether to a professed sworn vassal and partial advocate, well fed by the party. It is no marvel if they build but faintly upon such a groundless presumption;—"*Licet forte non sit de jure Divino*"—"Although peradventure it is not by Divine right[q]." He might well have omitted his "peradventure."

Wherefore, doubting that this supposition will not hold water, he addeth, that, "though it were not true, it would not prove that the Pope is not successor to St. Peter '*ex asse*,' but only that he is not so *jure Divino*[r]."

It is an old artifice of the Romanists, when any Papal privilege is controverted, to question whether the Pope hold it by Divine right or human right, when in truth he holds it by neither; so diverting them from searching into the right question, whether he have any right at all, taking that for granted which is denied.

But for human right they think they have it cocksure; "The reason is manifest,—because St. Peter himself left the Bishopric of Antioch, but continued Bishop of Rome until his death[s]." Nor by human right.

[p] Bellarm., De Roman. Pontif., lib. ii. c. 12. [Op., tom. i. p. 743. D.]
[q] [Id.,] ibid.
[r] [Surv., c. v. sect. 3. p. 68.]
[s] [Ibid., p. 69.]

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This will afford them no more help than the other. When the Apostles did descend and deign to take upon them the charge of a particular Church, as the Church of Rome or Antioch, they did not take it by institution, as we do. They had a general institution from Christ for all the Churches of the world. When they did leave the charge of a particular Church to another, they did not quit it by a formal resignation, as we do. This had been to limit their Apostolical power, which Christ had not limited. But all they did was to depute a Bishop to the actual cure of souls during their absence, retaining still an habitual cure to themselves. And if they returned to the same city after such a deputation, they were as much Bishops as formerly. Thus a Bishop of a diocese so disposeth the actual cure of souls of a particular parish to a Rector, that he himself remains the principal Rector when he is present. St. Peter left Rome as much as he left Antioch, and died Bishop of Antioch as much as he died Bishop of Rome. He left Antioch and went to Rome, and returned to Antioch again and governed that Church as formerly he had done. He left Rome after he first sat as Bishop there, and went to Antioch, and returned to Rome again, and still continued the principal Rector of that Church. Linus and Clemens, or the one of them, were as much the Bishop, or Bishops, of Rome during the life of St. Peter and St. Paul, as Evodius and Ignatius, or the one of them, were the Bishop, or Bishops, of Antioch. Suppose a Rector having two benefices dies upon the one of them, yet he dies the Rector of the other as much as that. I confess an Apostle was not capable of pluralities, because his commission was illimited: otherwise than as a Bishop is Rector of all the Churches within his diocese; and though he can die but in one parish, yet he dies governor of all the rest as much as that. If we may believe their history, St. Peter at his death was leaving Rome [t], in probability to weather out that storm (which did hang then over his head) in Antioch, as he had done in a former persecution. If this purpose had taken effect, then by their doctrine St. Peter 'had left the Bishopric of Rome,

[t] [See Hegesippus, &c., as before quoted.]

and died Bishop of Antioch[u].' Thus much for matter of fact.

Secondly, for matter of right, I do absolutely deny, that St. Peter's death at Rome doth entitle the Bishop of Rome as his successor to all or any of those privileges and prerogatives which he held in another capacity, and not as he was Bishop of Rome. Suppose a Bishop of Canterbury dies Chancellor of England, another Bishop dies Chancellor of the University of Cambridge or Oxford; must their respective successors therefore of necessity be Chancellors of England or of that University? No, the right of donation devolves either to the patron or to the society. So, supposing, but not granting, that one who was by special privilege the Rector of the Catholic Church died Bishop of Rome,
207 it belongs either to Christ or His Vicegerent or Vicegerents, invested with imperial power, to name, or to the Church itself to choose, a successor. If they could shew out of Scripture that Christ appointed the Bishops of Rome to succeed St. Peter in a spiritual monarchy, it would strike the question dead; or that St. Peter did design the Bishop of Rome to be his successor in his Apostolical power, or, lastly, that the Catholic Church did ever elect the Roman Bishops to be their ecclesiastical sovereigns, it were something; but they do not so much as pretend to any such thing. The truth is this, that after the death of St. Peter that pre-eminence (I do not say sovereignty), which he had by the connivance or custom of the Church, devolved to his successors in his chair, the Patriarchs of Rome, Alexandria (for I look upon St. Mark as St. Peter's disciple), and Antioch, among whom the Bishop of Rome had priority of order, not of power; to which very primacy of order great privileges were due: yet not so but that the Church did afterwards add two new Protopatriarchs to them, of Constantinople and Hierusalem[x], and equalled the Patriarch of Constantinople in all privileges to the Patriarch of Rome[y]; which they would never have done, nor have proposed the honour which they gave to

[u] [Bellarm., De Roman. Pontif., lib. ii. c. 12, Op. tom. i. p. 743. C.]

[x] [Concil. Constantinop. (A.D. 381.) can. 3, ap. Labb., Concil., tom. ii. p. 947. —Concil. Nicæn. (A. D. 323.) can. 7, ibid. p. 32; et Concil. Chalced. (A. D. 451.) Act. vii., ibid. tom. iv. pp. 612 —617.]

[y] [Concil. Chalced. can. 28, ibid. tom. iv. pp. 769, 770.]

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Rome with a "*placet*"—"doth it *please* you that we honour the memory of St. Peter[z]?"—if they had believed that St. Peter's death at Rome had already settled a spiritual monarchy of that see: which had been altogether as ridiculous, as if the Speaker of the House of Commons should have moved the House in favour of the king, 'Doth it please you that we honour the king with a judiciary power throughout his own kingdom[a].'

SECTION THE FOURTH.

[Bishops of Rome did not exercise ecclesiastical jurisdiction in Britain before A.D. 600.]

Hitherto R. C. hath not said much to the purpose; now he falls on a point that is material indeed (as to this ground), if he be able to make it good; that "the Bishops of Rome exercised ecclesiastical jurisdiction over the Britannic Churches" before the general Council of Ephesus, or at least "before the six hundredth year of Christ[b]."

First, he complaineth, that "few or no records of British matters for the first six hundred years do remain[c]."

If so few do remain that he is not able to produce so much as one instance, his cause is desperate. Howsoever, he proveth his intention out of Gildas, who confesseth that he composed his history "*non tam ex scriptis patriæ*," &c.—"not so much from British writings or monuments (which had been either burned by their enemies with fire, or carried beyond sea by their banished citizens), as from transmarine relations[d]." Though it were supposed that all the British records were utterly perished, this is no answer at all to my demand, so long as all the Roman registers are extant; yea, so extant, that Platina the Pope's library keeper is able out of them to set down every ordination made by the primitive Bishops of Rome, and the persons ordained. It was of these registers that I spake,—"Let them produce their registers[e]." Let them shew what British Bishops they have ordained, or what British appeals they have received, for the first six

[z] [Concil. Sardic. (A.D. 347.) can. 3, ibid. tom. ii. pp. 628, 629.]

[a] [See Just Vindic., c. v. vol. i. pp. 155, 156.]

[b] [Surv., c. v. sect. 4. p. 71. For "ecclesiastical" read "Episcopal."]

[c] [Ibid., p. 70.]

[d] Gild., [Epist. de Excid. et Conquestu Britann.,] in Prologo. [in Epist. c. 2.—mislettered "Prologus" in the edit. of 1568.]

[e] [Just Vindic., c. v. vol. i. p. 158.]

hundred years. Though he be pleased to omit it, I shewed plainly out of the list of the Bishops ordained,—"three by St. Peter, eleven by Linus, fifteen by Clement, six by Anacletus, five by Evaristus, five by Alexander, and four by Sixtus," &c.—that there "were few enough for the Roman province, none to spare for Britain[f]."

He saith, "St. Peter came into Britain, converted many, made Bishops, Priests, and Deacons;" that "St. Eleutherius sent hither his legates Fugatius and Damianus, who baptized the king, queen, and most of his people;" that "St. Victor sent legates into Scotland" (it seemeth they had no names), "who baptized the king, queen, and his nobility;" that "St. Ninian was sent from Rome to convert the southern Picts;" that "Pope Celestine consecrated Palladius and sent him into Scotland, where as yet was no Bishop;" and St. Patrick into Ireland; and St. German and Lupus into Britain, "to confute the Pelagian heresy;" and "in the year 596 St. Gregory sent over St. Austin and his companions," to convert the Saxons, "and gave him power over all the Bishops in Britain, and gave him power to erect two Archiepiscopal sees and twenty-four Episcopal;" and, moreover, that "Dubritius, Primate of Britany, was legate to the See Apostolic;" and, lastly, that St. "Samson had a pall from Rome[g]."

[R. C.'s instances.]

I confess, here are store of instances for preaching and baptizing and ordaining and converting; but if every word he saith was true, it is not at all material to the question. Our question is concerning exterior jurisdiction '*in foro Ecclesiæ;*' but the acts mentioned by him are all acts of the
208 key of order, not of the key of jurisdiction. If he do thus mistake one key for another, he will never be able to open the right door. He accustometh himself to call every ordinary messenger a "legate." But let him shew me that they ever exercised legantine authority in Britain. That he doth not, because he cannot. The Britannic and English Churches have not been wanting to send out devout persons to preach to foreign nations, to convert them, to baptize them, to ordain them pastors; yet without challenging any jurisdiction over them.

[f] [Just Vindic., c. v. vol. i. pp. 161, 162; and Platina, as there quoted.]

[g] [Surv., c. v. sect. 4. pp. 71—74.]

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Now to his particular instances.

Whether St. Peter converted Britain.

We should be glad that he could prove St. Peter was the first converter of Britain, and take it as an honour to the Britannic Church. But Metaphrastes[h] is too young a witness, his authority over small, and his person too great a stranger to our affairs. If it could be made appear out of Eusebius[i], it would find more credit with us. If St. Peter did ever tread upon British ground, in probability it was before he came first to Rome, which will not be so pleasing to the Romanists. For, being banished by Claudius, he went to Hierusalem, and so to Antioch[j], and there governed that Church the second time. Whether St. Peter, or St. Paul, or St. James, or Simon Zelotes, or Aristobulus, or Joseph of Arimathea, was the first converter of Britain[k], it makes nothing to the point of jurisdiction, or our subjection to the Bishop of Rome. But for Joseph of Arimathea, we have the concurrent testimonies of our own writers and others—the tradition of the English Church—the reverent respect borne to Glastonbury, the place where he lived and died—the ancient characters of that Church, wherein it is styled, 'the beginning of religion in this island,' "the burial place of the Saints, builded by the disciples of the Lord[l]." The very name of the chapel called St. Joseph's, the arms of King Arthur upon the walls, and his monument found there in the reign of Henry the Second, do all proclaim this truth aloud[m].

Of Eleutherius his sending into England.

His second instance hath more certainty in it,—that Pope Eleutherius sent Fugatius and Damianus, two learned divines, into Britain, to baptize King Lucius.

But it is as true that Lucius was converted before, either in whole or in part, and sent two eminent divines of his own subjects, Elvanus Avalonius,—Elvan of Glastonbury, the seminary of Christian religion in Britain,—and Medvinus of

[h] [Metaphrast. (De SS. Petro et Paulo, ad diem 29. Junii, ap. Surium, Act. SS., tom. iii. pp. 862, 866), quoted by R. C., Surv., c. v. sect. 4. p. 71. See Baron., Annal., in an. 58. num. 51.]

[i] [As reported by Metaphrastes, ibid. p. 866.]

[j] [According to] Onuphr. [Panvin., Annot. ad Platin., in Vitâ S. Petri; but as of St. Peter's *first* visit to Antioch.]

[k] [See Ussher, De Primord. Britann. Eccl., c. i.]

[l] [Camden, Britann., vol. i. p. 58. ed. Gough.—See Ussher, De Primord. Britann. Eccl., c. ii. pp. 12—30. c. vi. pp. 115—125.]

[m] [Camd., ibid. p. 59.—Ussher, ibid., c. vi. pp. 117—121. c. xv. pp. 522, 523. and p. 980. But see Stillingfl., Orig. Brit., c. i. sect. 1. pp. 6—36.]

Belga,—that is, of Wells, a place near adjoining to Glastonbury,—to Rome, to intreat this favour from Pope Eleutherius. So, whatsoever was done in this case, as it was no act of jurisdiction, so it was not done by Eleutherius by his own authority, but by license and upon request of King Lucius[n]. And not to diminish the deserts of Fugatius and Damianus, who in all probability were strangers and understood not the language, certainly Elvan and Medwin and many more British natives had much more opportunity to contribute to the conversion of their native country than foreigners, who were necessitated to speak by an interpreter, at least to the vulgar Britons. Discourse III.

Concerning Pope Victor's sending of legates into Scotland to baptize the king, queen, and nobles, when he tells us who was the king, who were the legates, and who is his author[o], he may expect a particular answer. But if there be nothing in it but baptizing, he may as well save his labour, unless he think that baptizing is an act of jurisdiction, which his own schools make not to be so much as an act of the key of order[p]. Ireland was the ancient Scotland. The Irish Scots were converted by St. Patrick[q], the British Scots by St. Columba[r]. And Victor's into Scotland.

Next for St. Ninian,—he was a Briton, not a Roman. Neither doth Venerable Bede say that he was "taught" the Christian faith "at Rome[s]" simply, but that he was taught it there "regularly[t]," that is, in respect of the observation of Easter, the administration of Baptism, and sundry other rites, wherein the British Church differed from the Roman. Nor yet doth Bede say that he was "sent from Rome to Ninian.

[n] [See authorities in Ussher, ibid., c. iv. pp. 44—56.]

[o] [See Ussher, ibid., c. xv. pp. 612, sq., and Stillingfl., Orig. Britan., c. ii. sect. 1. pp. 52, 53. R. C. (Surv., c. v. sect. 4. p. 72.) refers to his own Epist. to King James (in fin. Flor. Hist. Eccl. Angl., p. 407); and the story alluded to is that of Hector Boethius (Hist. Scot., lib. vi, there quoted) concerning Victor's sending "learned men" to King Donald at his own request to "baptize" himself and his subjects.]

[p] [See Bellarm., De Sacram. Baptismi, lib. i. c. 7.]

[q] [By Palladius and on his death by St. Patrick, accord. to Baronius (Annal., in an. 429, numm. 1—7) and Stillingfleet (Orig. Brit., c. ii. sect. 1. pp. 53, 54). Ussher (De Primord. Brit. Eccl., c. xvi. pp. 798, sq.) seems to incline rather to the evidence of an earlier conversion.]

[r] [Bed., Hist. Eccl., lib. iii. c. 4. See Ussher, as before quoted, c. xv. pp. 687, sq.]

[s] [Surv., c. v. sect. 4. p. 71.]

[t] Bed., [Hist. Eccles.,] lib. iii. c. 4. [See Ussher, as before quoted, c. xv. pp. 661—666, 669.]

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convert the Picts[u]." His words are these, "The southern Picts (as men say) long before this had left the error of their idolatry and received the true Faith by the preaching of Ninias a Bishop, a most reverend and holy man of the British nation, who was taught the Faith and mysteries of truth regularly at Rome[x]." Capgrave[y] finds as much credit with us as he brings authority; and in this case saith nothing at all to the purpose, because nothing of jurisdiction.

Palladius and St. Patrick.

From St. Ninian he proceeds to Palladius and St. Patrick. "Pope Celestine consecrated Palladius and sent him into Scotland; and not forgetful of Ireland, sent thither St. Patrick[z]." 209

In all the instances, which he hath brought hitherto, we find nothing but preaching and converting and christening, not one syllable of any jurisdiction. Will the British records afford us so many instances of this kind, and not so much as one of any legislative or judiciary act? Then certainly there were none in those days. Whether Palladius was sent to the British or Irish Scots, is disputable; but this is certain, that, whithersoever he was sent, he was rejected, and shortly after died. In whose place succeeded St. Patrick;—"Therefore his disciples hearing of the death of Palladius the Archdeacon," &c. "came to St. Patrick and declared it;" who, "having received the Episcopal degree from a prelate called Arator, . . . straightway took ship," &c.[a] Here is nothing of Celestinus but of Arator, nor of a mandate but St. Patrick's free devotion[b].

Germanus and Lupus.

He saith, "the same Pope sent thither St. German and Lupus to confute the Pelagian heresy; and both Britons, Scots, Picts, and Irish, willingly accepted these legates of the Popes, nor denied that they had any authority over them[c]."

I am weary of so many impertinencies. Still here is not one word of any jurisdiction of the Roman Bishops over the British Church, but of their charity and devotion, which we wish their successors would imitate. I confess, that Prosper[d]

[u] [Surv., c. v. sect. 4. p. 71.]

[x] [Bed., ibid.,] lib. iii. c. 4. [quoted by R. C.]

[y] [Nov. Legend. Angl., in Vitâ S. Ninian., quoted by R. C.]

[z] [Surv., c. v. sect. 4. pp. 72, 73.]

[a] Bed., in Vitâ S. Patritii, lib. i. [Scil. in V. S. P. a Probo scriptâ (vid. Cave, Hist. Litt., sub tit. Bedæ), inter Op. Venerab. Bed., tom. iii. p. 229. For "Arator" read "Amator."]

[b] [See Ussher, De Primord. Britann. Eccl., c. xvii. pp. 838, sq.]

[c] [Surv., c. v. sect. 4. p. 73.]

[d] Prosp., in Chronic., [(A.D. 431, ap. Canis., Antiq. Lect., tom. i. p. 301. ed. Basnag.); quoted by R. C.]

saith that Palladius was "sent" by Celestinus. If it were so, it concerns not this cause. But Constantius[e] and Venerable Bede[f] and almost all other authors[g] do affirm positively, that they were both sent by a French synod, to assist the Britons their neighbours against the Pelagians. And it is most probable; for they were both French Bishops, St. German of Auxerre, Lupus of Troyes. Baronius labours to reconcile these two different relations thus, 'It may be the Pope did approve the choice of the synod, or it may be that Celestine left it to the election of the synod, to send whom they pleased[h].' Admit either of these suppositions was true, it will bring no advantage to his cause, but much disadvantage. If the Bishop of Rome had been reputed to be Patriarch of Britain, and much more if he had been acknowledged to be a spiritual monarch, it is not credible that the Britannic Church should have applied itself for assistance altogether to their neighbours and not at all to their superior. He addeth, that "they willingly accepted these legates of the Popes." He is still dreaming of "legates." If they were legates, they were the synod's legates, not the Pope's; as much legates and no more than the messengers of the British Church, which they sent to help them, were legates;—"*eodem tempore ex Britanniâ directa legatio Gallicanis Episcopis nunciavit*[i]," &c. —"at the same time the British legates shewed their condition to the French Bishops," [in] what need the Catholic Faith did stand of their present assistance. Had they not reason to welcome them whom themselves had invited, who were come only upon their occasion? Or what occasion had they to "deny" their "authority," who neither did usurp any authority nor pretend to any authority? They came to dispute, not to judge;—"*Aderat populus spectator futurus ac judex*[j]." I know Constantius[k] and Venerable Bede[k] do call them "*Apostolicos Sacerdotes*"—"Apostolical Bishops," not from their mission, but most plainly for their Apostolical

[e] Constant., De Vitâ German., lib. i. [c. 19, ap. Surium, Act. SS. tom. iv. p. 416.]

[f] Bed., [Hist. Eccl.,] lib. i. c. 17.

[g] [See Just Vindic., c. iv. vol. i. p. 137, note p; and Ussher and Stillingfleet there quoted.]

[h] Baron., [Annal.,] in an. 429. [num. 10.]

[i] Constant., [De Vitâ Germ.,] lib. [i.] c. 19. [as before quoted.]

[j] Idem, [ibid.,] c. 23. [as before quoted, p. 417.]

[k] [Constant., ibid. c. 19. as before quoted, et Bed., Hist. Eccl., lib. i. c. 17.]

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endowments,—"*Erat in illis Apostolorum instar gloria et authoritas,*" *&c.*[1]

Austin. That St. Gregory did send Austin into England to convert the Saxons, is most true; that the British Churches did suffer him to exercise any authority or jurisdiction over them, is most untrue. Touching the precise time of his coming, historiographers do not agree exactly. All accord that it was about the sixth hundredth year of Christ, a little more or less[m]. Before this time, Cyprus could not be more free from foreign jurisdiction than Britain was. After this time we confess that the Bishops of Rome, by the consent or connivance of the Saxon kings, as they came to be converted by degrees, did pretend to some formalities of right or authority over the English Church, at first in matters of no great consequence, as bestowing the pall or the like[n]. But without the consent, or against the good pleasure, of the king, they had no more power at all.

Dubritius. "Geoffrey of Monmouth saith, that Dubritius, Primate of Britain, was legate of the See Apostolic[o]."

I should sooner have believed it if he had proved it out of Gildas, who lived in or about the age of Dubritius, than upon the credit of Geoffrey of Monmouth, who lived so many hundred years after his death, whose writings have been censured as too full of fables. It were over supine credulity to give more credit to him, than to the most eminent persons 210
and synods of the same and the ensuing age. Dubritius was Primate of Wales in the days of King Arthur, and resigned his Archbishopric of Caer-Leon to St. David, who removed his Archiepiscopal see from thence to Menevia (now called St. David's) by the licence of King Arthur, not of the Pope[p]. King Arthur began his reign, as it is commonly computed, about the year 516, perhaps something sooner or later, according to different accounts[q]; but certainly after the Council of

[1] [Bed., ibid.]

[m] [The date of his death seems to be the doubtful point, rather than that of his coming. He was sent from Rome in 596, reached England in 597, and died between 603 and 613. See Spelman, Concil., tom. i. pp. 92, 93.]

[n] [See Just Vindic., c. vi. vol. i. p. 193.]

[o] [Surv., c. v. sect. 4. p. 74; from Galfrid. Monum., (De Orig., et Gest. Britann.,) lib. ix. c. 12.]

[p] [See Spelm., Apparat. ad Concil., p. 26.—Ussher, De Primord. Brit. Eccl., c. v. pp. 81, sq.]

[q] [See Ussher, ibid. c. xiii. pp. 467, 468. The earliest date assigned is

Ephesus, from whence we demonstrate our exemption. And so it can neither advantage his cause, nor prejudice ours. We are told of store of Roman "legates," and yet not so much as any one act of jurisdiction, pretended to be done by any of them. Certainly either they were no Papal legates, or Papal legates in those days were but ordinary messengers, and pretended not to any legantine court or legantine power such as is exercised now-a-days. DISCOURSE III.

St. "Samson" (saith he) "had a pall from Rome, . . . wherefore untruly saith L. D. that the pall was first introduced in the reign of the Saxon kings, after six hundred years of Christ[r]." St. Samson.

He mistakes my meaning altogether, and my words also. I said not, that the first *use* of the pall began after the six hundredth year of Christ, but the *abuse* of it, that is, "the arbitrary imposition thereof by the Popes upon the British Churches[s];" when they would not suffer an Archbishop, duly elected and invested, to exercise his function, until he had bought a pall from Rome. I know the contrary, that they were in use formerly[t]. But whether they were originally ensigns of honour, conferred by Christian emperors upon the Church (namely, Constantine and Valentinian), as is most probable, or assumed by Patriarchs, is a disputable point[t]. This is certain, other Patriarchs, and Archbishops under them, had their palls in the primitive times, which they received not from Rome[t]. This Samson was Archbishop of Wales[u], and had his pall; but it appeareth not at all that he had it from Rome: it may be that they had it from their first conversion, or rather that the British Primates themselves assumed it, in imitation of foreign Patriarchs, as they might well do. This pall he carried with him into lesser Britain, in the time of an epidemical sickness, and such extreme mortality, "*ut mortui ægros, ægri integros, tum metu tum tabe*

467, the latest 528. The Council of Ephesus was held in 431.]

[r] [Surv., c. v. sect. 4. pp. 74, 75, quoting Speed, Descript. of Britain (c. ii. § 6); who however says nothing of Rome.]

[s] [Just] Vindic., [c. vi. vol. i.] p. [193. See also c. v. ib. p. 162.]

[t] [See Collier, Ch. Hist., Pt. i. bk. ii. vol. i. pp. 68—71; P. De Marca, De Concord. Sacerd. et Imper., lib. vi. c. 6. § 6—11. c. 7. § 1—7, there quoted; and De Dominis, De Rep. Eccl., lib. iii. c. 2. lib. vi. c. 5. num. 136.]

[u] [i. e. of St. David's; but see Ussher, De Primord. Brit. Eccl., c. v. pp. 72—76. c. xiv. pp. 530—532.]

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infecerint"—"so that the dead did infect the sick, the sick infect the sound, both with fear and contagion[x]." That the same Bishop never returned to his see again, appears to me more than probable by this, that his successors for many ages retained their metropolitical dignity, but ever after wanted the use of their pall[y]. Certainly he, who was so careful of his pall when he forsook his see, would have been more careful to have brought it back with him, when he returned to his see. What time this Samson lived, and when that contagious sickness raged so cruelly, is more doubtful; whether it was in the reign of Maglocunus, the fifth, or in the reign of Cadwallader, the ninth, in succession after King Arthur, or long after both these[z]. Giraldus Cambrensis makes him to be the five and twentieth Archbishop after St. David—"*Sederunt a tempore David successivis temporum curriculis Archiepiscopi ibidem viginti quinque*," &c.[a], the last of which was this Samson. And then follows, "*Tempore Samsonis hujus pallium in hunc modum est translatum*," &c.—"In the time of this Samson the pall was transported after this manner; the pestilence increasing throughout Wales during his incumbency, whereof the people died by heaps," &c.[a] The same is testified by Roger Hoveden in the life of King John, that this Samson, whom he makes the four and twentieth Archbishop after St. David, flying from an infectious yellow jaundice, did transport with himself into little Britain the pall of St. David, &c.[b] So R. C. had need to retract his rash censure of me, that I "said untruly, that 'the pall was first introduced in the reigns of the Saxon kings;'" for neither did I say so, neither doth he prove that it was not so. A few of these histories would quickly spoil the Pope's market for his palls. The Menevian Archbishops had but one pall, that was St. David's pall, for him and all his successors; whereas the Pope compels every succeeding Archbishop to buy a new pall.

[x] Polyd. Virgil., Hist. Angl., lib. iii. [in fin., p. 59. Basil. 1534; speaking of a pestilence in the time of Cadwallader.]

[y] [Girald. Cambr., De Jure et Statu Menev. Eccl., Dist. 2, ap. Wharton., Angl. Sacr., tom. ii. p. 541.—Annal. Gisborn., ap. Spelman., Apparat. ad Concil., pp. 25, 26.—Hoveden, as quoted below.]

[z] [See Ussher, De Primord. Brit. Eccl., c. v. pp. 72—76. c. xiv. p. 559, and p. 1132.]

[a] Itiner. Cambr., lib. [ii.] c. 1.

[b] Rog. Hoved., Annal., an. 1199. [p. 798.]

"King James" doth not at all speak of the Bishop of Rome's right, but how far himself would condescend 'for peace' sake[c];' which words, being expressly used by the King in the place alleged, are guilefully omitted by R. C. Much less doth he speak of any supremacy of power, or submission to the Pope's jurisdiction in any of the cases controverted between us and them. Our differences are not about any
211 branches of Patriarchal power. If they like King James his proposition, why do they not accept it? If they like it not, why do they urge it? A Church may be, and is usually, called[d] a "mother Church[e]" in two senses: either, because it is the Church of a metropolis or mother-city,—and so no man can deny but the Church of Rome, among many others, is a prime mother-Church; or else, because it hath converted other Churches to the Christian Faith,—and so also we acknowledge that the Church of Rome is a mother Church to sundry of our Saxon Churches, and a sister to the British Church, but a mistress to no Church.

[King James [the First].

I shewed clearly, that that power which the Bishops of Rome do challenge and usurp at this day, is incompatible and inconsistent with true Patriarchal power; and that thereby they themselves have implicitly quitted and disclaimed that true power which was conferred upon them by the Catholic Church; so, by seeking to turn spiritual monarchs, they had lost their just title of Patriarchs;—but withal that Britain was never rightly a part of their Patriarchate[f]. To this he answers nothing, but objects, that this is to "depose all the Popes since Boniface the Third, for more than a thousand years, and say, that they have all lost their Patriarchate;" and cries out, "O intolerable presumption[g]!" Thus he confoundeth Papal and Patriarchal power,

[Patriarchal power incompatible with Papal.]

[c] [Apolog. for the Oath of Allegiance, (Pref. to all Christian Monarchs, &c.) p. 46. (English edit. 1609), quoted by R. C., Surv., c. v. sect. 4. p. 75. King James's words are, "I would with all my heart give my consent that the Bp. of Rome should have the first seat; I, being a western king, would go with the Patriarch of the West:"—and a little before, "I reverence that institution" (viz. of Patriarchs) "for order sake." So also Bp. Montague, Orig. Eccl., Pars poster., p. 158, referred to by R. C., ibid.]

[d] [The Church of Rome is so called by King James in his speech to Parliament (anno 1603, Works, p. 491. ed. 1616), quoted by R. C., Surv., ibid.]

[e] "Matrix Ecclesia." [Cypr., Epist. 48, Ad Cornel., p. 91; speaking of Rome. See Bp. Fell's note.]

[f] [Just Vindic., c. v. vol. i. pp. 157—164. See also c. ix. ibid. pp. 260—262.]

[g] [Surv., c. v. sect. 4. p. 76.]

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making things inconsistent to be one and the same thing. If they have lost their Patriarchal power, it is their own fault who quitted it; it is his fault who doth no better defend it. With as much reason he might plead, that he, who saith that a Rector of a Church, by accepting of a new incompatible benefice, had quitted his old, doth deprive him of his former benefice; or that he, who saith, the king of Spain hath quitted his title to the United Provinces, doth thereby depose him from his monarchy. 'O intolerable mistake!'

SECTION THE FIFTH.

[The British Churches sided with the Eastern in the observation of Easter.]

I said, not 'ignorantly' but most truly, that "the British" (I will add also the Scottish) "Church for many hundred years sided with the Eastern Church" in the observation of Easter[h]. He saith, that they did not "side entirely" with them[i].

Neither did I say they did. They observed Easter always upon Sunday[k], which Polycrates and those Asiatics that joined with him did not[l]. And so they had nothing common with the Jews,—those 'parricides,' as Constantine the Great[m] calls them, who murdered Christ. And herein they did join with the Roman Church. But it is as evident, that they did not observe it upon the same Sunday with the Church of Rome. This is clear by those two British synods mentioned by Venerable Bede; this being one of Austin's propositions to them, that they should conform themselves to the Roman Church in the observation of Easter, and after solemn discussion altogether rejected by them[n]. That in this they sided with the Eastern Church, appeareth as evidently by the public conference between Colman and Wilfrid about this very business, wherein Colman did expressly and professedly maintain the tradition from St. John before the tradition from St. Peter[o].

[h] [Ibid., c. v. sect. 5. p. 76. from Just Vindic., c. v. vol. i. pp. 160, 161.]

[i] [Surv., ibid.]

[k] [See Bed., Hist. Eccl., lib. iii. cc. 4, 17, 25; quoted by R. C., Surv., ibid.] [See the letter of Polycrates to Pope Victor, in Euseb., Hist. Eccl., lib. v. c. 24.]

[m] [Euseb., De Vitâ Constantini, lib. iii. c. 18.]

[n] Bed., [Hist. Eccl.,] lib. ii. c. 2.

[o] Id., [ibid.,] lib. iii. c. 25.

Lastly, to say, that this manner of observing Easter was but risen in Scotland a little before the year 638, upon the authority of Pope John[p], is ridiculous—for it is most evident, that it was as ancient as their Christianity; contrary to reason—for the Britons and Scots had no commerce with the Oriental Christians in those days; and contrary to authority—for Colman in that disputation did derive it from St. John the Apostle[q]. Discourse III.

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CHAP. VI.

SOVEREIGN PRINCES IN SOME CASES HAVE POWER TO CHANGE THE EXTERNAL REGIMENT OF THE CHURCH.

[SECTION THE FIRST.]

If the reader doth not find so much in this reply as he desires and expects, let him blame R. C.; who, according to his custom, omitteth all the chiefest grounds and the whole contexture of my discourse, only snatching here and there at a word or a piece of a sentence. I shall deal more fairly with him. In the first place, I complain, that besides the omitting of those main principles whereupon my discourse in this chapter is grounded, which are received by both parties, he doth me wrong in stating of the question. For whereas I set down four conditions or limitations necessary in every reformation;—first, that it be made advisedly "upon well grounded experience;" secondly, that it be done "in a national synod;" thirdly, that it be only in matters "of human right;" fourthly, that nothing be changed but that which is become "hurtful or impeditive of a greater good[r];" —he leaves out three of these restrictions altogether, and only mentions one,—that it be in matters "of human institution[s],"—as if the rest were of no consideration. He cannot choose but know, that by the doctrine of their own schools, [Question unfairly stated by R. C.]

[p] [Surv., c. v. sect. 5. p. 76, quoting Bede (Hist. Eccl.), lib. ii. c. 19. The letter of Pope John speaks of the British practice as "nova ex veteri renovata hæresis."]

[q] [Bed., ibid., lib. iii. c. 25; referred to by R. C., Surv., ibid.]

[r] [Just] Vindic., [c. vi. vol. i.] p. [171.]

[s] [Surv., c. vi. sect. 1. p. 78.]

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if a man do vow any thing to God, which afterwards is found to be "hurtful" and "impeditive of a greater good," [it] maketh his vow null and void, and disobligeth him from performance of it[t]. If it be true in a vow to God, it is more true in a promise made to man, and he needeth no dispensation to retract it.

But let us follow his steps.

A king hath all power needful for the preservation of his kingdom.

First, whereas I allege their own authors to prove, that, "to whom a kingdom is granted," all necessary power is "granted without which a kingdom cannot be governed[u]," he distinguisheth between "the necessity of the kingdom," and "the benefit of the kingdom;"—"a king hath power to do whatsoever is necessary for the government of his kingdom," but not "whatsoever is for the benefit of his kingdom[v]."

To this I answer,—

First, that he confounds "power," and "the exercise of power," or the necessity of the one with the necessity of the other. Power is the necessary qualification of a king. But the act or exercise of that power may be free; and sufficiently grounded, not only upon the necessity, but upon the benefit of the kingdom. A legislative power is necessary to a king; but this doth not imply, that he cannot make a law except only in cases of absolute necessity. Power to administer an oath, or to commit a malefactor, is a necessary qualification of a judge; yet he may administer an oath upon discretion, or commit a man upon suspicion. If a king, or a judge invested with such a power, should misapply it, or err in the exercise of it, he owes an account to God, and the prince from whom he received the power; but the subject is bound at least to passive obedience. Now let him see his own mistake. The question between us is, whether a power to reform abuses and inconveniences be necessary to a king, to which all his subjects owe at least passive obedience. He answers concerning the exercise of this power,—in what cases a king may lawfully use it;—but if the king mistake the case, yet the subject owes passive obedience.

[t] Aquin., Summ., Secund. Secund. [Part.], Quæst. 88, Artt. 2. et 10.

[u] [Just Vindic., c. vi. vol. i. p. 165, and note e.]

[v] [Surv., c. vi. sect. 1. pp. 78, 79.]

Secondly, I answer, that there is a double necessity: first, a simple or absolute necessity; secondly, a respective necessity '*secundum quid*,' which we may call a necessity of convenience, which is a true necessity, and a sufficient ground of a Christian law; that is, rather to make such a law than to sustain such indignities, or to run such extreme hazards, or lose such great advantages;—as, "It seemeth good to the Holy Ghost and to us, to lay upon you no greater burden than these necessary things;" and of four things these were three, to "abstain from meats offered to idols, and from blood, and from things strangled;" none of which things were necessary in themselves, either '*necessitate medii*' or '*necessitate præcepti*;' but they were necessary to avoid scandal, and to gain advantage upon the Jews, and to retain them in a good opinion of Christian religion. St. James used the same argument to St. Paul,—"Thou seest, brother, how many thousands of Jews there are which believe, and they are all zealous of the law," &c. If the advantage be but small, it is not worth abrogating a law or changing a received custom; but if it be great, "*malo semel excusare quare fecerim, quam semper quare non fecerim*[x]"—'it is better to make one just apology why a man doth abrogate' such a prejudicial custom, than 'to be making daily excuses why he doth not abrogate it.'

DISCOURSE III.

A respective necessity is a sufficient ground of a reformation.

Acts xv. 28, [29.]

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Acts xxi. 20.

"Vivere non est vita sed valere[y]"—

"to live is not to draw out a lingering breath, but to enjoy health." So the health and convenience and good constitution of a kingdom is more to be regarded than the bare miserable being of it.

Thirdly, I answer, that our reformation in England was not only beneficial and advantageous to the kingdom, but necessary; to avoid intolerable extortions, and gross, unjust, and general usurpations of all men's rights. They found plainly, that this foreign jurisdiction did interfere with the sovereign power. The oaths which Bishops were forced to take to the Pope were examined in Parliament, and found to be plainly contradictory to their oaths of allegiance and repugnant to

Our reformation was necessary.

[x] Senec.

[y] [Martial., Epigramm., vi. 70. 15.]

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The regiment of the Church conformed to that of the commonwealth.

As the hangings are fitted to the house, so was the external regiment of the Church fitted and adopted to the then state of the empire, when these ecclesiastical dignities were first erected; for the ease and benefit of the subject, to the end that no man should be necessitated to seek further for ecclesiastical justice than he did for civil, nor to travel without the bounds of his own province for a final sentence. Therefore, wheresoever there was a civil metropolis, there was placed an ecclesiastical metropolitan also; and where there was a secular protarch, there was constituted an ecclesiastical patriarch; to avoid the confusion and clashing of jurisdictions. This is plain out of the decree of the Council of Chalcedon,—that, whereas some ambitious persons, "contrary to the laws ecclesiastical," had multiplied metropolitical sees, making two in one province where there was but one mother city or one civil metropolis, the Council defined, that no man should "attempt any such thing for the future;" but "those cities which had been adorned with the name of metropolis by the edicts of kings, should only enjoy that privilege [b]:" and more plainly by that of Anacletus, cited by Gratian, if we may credit him;—"Provinces were divided long before the coming of Christ, for the most part; and afterwards that division was renewed by the Apostles and St. Clement our predecessor;" so that "in the chief cities of all provinces, where long since were primates of the secular law, and the highest judiciary power," &c., there "the Divine and ecclesiastical laws commanded Patriarchs or Primates to be

[z] Hall, [Chron.,] in 24 Hen. VIII. [A.D. 1533], fol. 205. [ed. 1550. See Just Vindic., c. iv. vol. i. p. 149. note z.]

[a] [See Just Vindic., c. vi. vol. i. pp. 180—192.]

[b] Concil. Chalced., [A.D. 451,] can. 11 vel 12, [can. 12, ap. Labb., Concil., tom. iv. p. 762.]

placed and to be; which two, though they be different in names, yet retain the same sense[c]." This was well so long as the empire continued in the same state and the provinces kept their ancient bounds. But now,—when the state of the empire is altogether changed, the provinces confounded, and the dominions divided among lesser kings, who are sometimes in hostility one with another, and the subjects of one prince cannot freely nor securely repair for justice into the dominions of a foreign prince, without prejudice to themselves, and danger to their native country,—it is very meet, that the subjects of every sovereign prince should have final justice within the dominions of their own sovereign, as well in ecclesiastical causes as political. And this is agreeable with the fundamental laws and customs of England, which neither permit a subject in such cases to go out of the kingdom, nor any foreign commissioner to enter into the kingdom, without the king's license. Upon this ground the Bishops of Scotland were freed from their obedience to the Primate of York[d], and the Bishops of Muscovia from the Patriarch of Constantinople[e]. [A.D.1471] [A.D.1589]

But (saith he) "that, which is for the benefit of the king-
214 dom, may be contrary to the good of the Church;" and should we "prefer a kingdom before the Church, the body before the soul, earth before Heaven[f]?"

In gain or loss all circumstances to be considered.

I answer, that gain and loss, advantage and disadvantage, ought not to be weighed or esteemed from the consideration of one or two circumstances or emergents. All charges, damages, and reprises, must first be cast up and deducted, before one can give a right estimate of benefit or loss. If a merchant do reckon only the price which his commodity cost him beyond sea, without accounting customs, freight, and other charges, he will soon perish his pack. If the benefit be only temporal, and the loss spiritual, as to gain gold and lose faith, which is "more precious than gold that perisheth," it is no benefit but loss; "what should it advantage a man [Matt. xvi. 26.] 1 Pet. i. 7.

[c] [Gratian., Decret., P. i.] Dist. 99. [c. 1.]

[d] [Spottisw., Hist. of the Ch. of Scotland, lib. ii. c. 17. p. 38. c. 34. p. 58.]

[e] [See Mosheim, Eccl. Hist., Cent. xvi. sect. 3. c. 2. § 9; and Lequien, Oriens Christ., tom. i. pp. 154, 155. (Patriarch. Constantinop., c. xx. § 4—6), and 1292—1294. (Diœc. Thrac., c. ix. De Diœc. Muscov., § 3—6), there quoted.]

[f] [Surv., c. vi. sect. 1. p. 79.]

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to gain the whole world and lose his own soul?" The English Church and the English kingdom are one and the same society of men, differing not really but rationally one from another, in respect of some distinct relations. As the vine, and the elm that sustains it, they flourish together, and decay together. '*Bonum ex singulis circumstantiis*,'—that which is truly good for the kingdom of England, cannot be ill for the Church of England; and that which is truly good for the English Church, cannot be ill for the English kingdom. We may in reason distinguish between Alexander's friend who studies to please him, and the king's friend who gives him good advice[g]; the one is a friend to his person, the other to his office: but in truth, whilst Alexander is king, and the person and office are united, he that is a true friend to Alexander is no enemy to the king, and he who is a true friend to the king is no foe to Alexander. Indeed, if by the Church he understand the Court of Rome, then that which was good for the kingdom of England was prejudicial to the Church, in point of *temporal* profit; but seeing, as he confesseth, 'the soul is to be preferred before the body,' it turns to their greater advantage by lessening the account of their extortions.

Our reformation not contrary to the decrees of general Councils.

He addeth, that "a kingdom is but a part of the Church, and it is not in the power of any part, only for its particular profit, to alter what is instituted by the Universal Church for her universal good; no more than it is in the power of a part of the kingdom, as one shire or province, to alter for its private interest what hath been decreed by Parliament for the good of the kingdom[h]."

His instance of a shire or a province is altogether impertinent; for no particular shire or province in England hath legislative authority at all, as the kingdom hath. But particular corporations, being invested with power from the Crown to make ordinances for the more commodious government of themselves, may make and do make ordinarily bye-laws and ordinances, not *contra*—against the Acts of Parliament, but *præter*—besides the Acts of Parliament. And let him go but a little out of the kingdom of England, as suppose into the

[g] [Plut., Apophthegm. Reg., in Alexand. num. 29, Op. Moral., tom. i. p. 505. ed. Wyttenb.]

[h] [Surv., c. vi. sect. 1. pp. 79, 80.]

Isle of Man, or into Ireland; though they be branches of the English empire, yet he shall find that they have distinct Parliaments, which, with the concurrence of the king, have ever heretofore enjoyed a power to make laws for themselves contrary to the laws of the English Parliament. But we are so far from seeking to abrogate or to alter any institution of the Universal Church, or its representative a general Council, in this case, that on the contrary we crave the benefit of their decrees, and submit all our differences to their decision. No general Council did ever give to the See of Rome jurisdiction over Britain. And though they had, yet, the state of things being quite changed, it were no disobedience to vary from them in circumstances, whilst we persist in their grounds.

To make my word good, I will suppose the case to have been quite otherwise than it was: that Protestants had made the separation; that they had had no ancient laws for precedents; that the Britannic Churches had not enjoyed the Cyprian privilege for the first six hundred years: yea, I will suppose for the present, that our Primates were no Primates or Patriarchs; and that the Britannic Churches had been subjected to the Bishop of Rome by general Councils. Yet,—all this supposed,—upon the great mutation of the state of the empire, and the great variation of affairs since that time, it had been very lawful for the king and Church of England to substract their obedience from the Bishops of Rome (though they had not quitted their Patriarchate) and to have erected a new Primate at home among themselves. Provided that what I write only upon supposition, he do not hereafter allege as spoken by way of concession.

215 We have seen formerly in this chapter, that the establishment of Primates or Patriarchs and Metropolitans in such and such sees was merely to comply and conform themselves to the edicts and civil constitutions of sovereign princes, for the ease and advantage of Christians, and to avoid confusion and clashing of jurisdictions; that, where there was a civil exarch and protarch established by the emperor, there should be an ecclesiastical Primate or Patriarch; and where a city was honoured with the name and privilege of a metropolis or

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mother city, there should be a metropolitan Bishop[l]. The practice of Bishops could not multiply these dignities, but the edicts of emperors could. And this was in a time when the emperors were pagans and infidels.

Afterwards, when the emperors were become Christians, if they newly founded or newly dignified an imperial city or a metropolis, they gave the Bishop thereof a proportionable ecclesiastical pre-eminence at their good pleasure: either with a Council, as the Councils of Constantinople and Chalcedon (with the consent and confirmation of Theodosius and Martian, emperors) did advance the Bishop of Constantinople from being a mean suffragan under the Metropolitan of Heraclea, to be equal in dignity, power, and all sorts of privileges, to the Bishop of Rome[k]; and this very ground is assigned by the Fathers, "Because that city" (Constantinople) "was become the seat of the empire[l]," so great a desire had the Fathers to conform the ecclesiastical regiment to the political; or without a Council, as Justinian the emperor by his sole legislative power erected the Patriarchate of *Justiniana Prima*, and endowed it with a new province substracted from other Bishops, freeing it from all appeals[m]. The like prerogatives he gave to the Bishop of Carthage[n], notwithstanding the pretensions of the Bishop of Rome. And this was not done in a corner, but inserted into the public laws of the empire, for all the world to take notice of it[o]. So unquestionable was the power of sovereign princes in things concerning the order and external regiment of the Church in those days, that neither the Bishop of Rome nor any other Patriarch or Bishop did ever complain against it. Shall the presence of an exarch or lieutenant be able to dignify the city or place of his residence with Patriarchal rights, and shall not the presence and authority of the sovereign himself be much more able to do it? Is so much respect due to the servants, and is not more due to the master?

That the British and the English kings had the same

[l] [See above pp. 180, 181.]

[k] [Concil. Constantinop. (A.D. 381.) can. 3, ap. Labb., Concil., tom. ii. p. 947.—Concil. Chalced. (A.D. 451.) can. 28, ibid. tom. iv. p. 769.]

[l] [Concil. Chalced., ibid.]

[m] [Authent., Collat. ii.,] Novel. 11, [De Privileg. Archiep. Justinianæ, &c.; et Collat. ix, Novel.] 131. [tit. xiv. De Eccl. Titulis, &c., c. 3. ed. Genev. 1626.]

[n] [Ibid.,] Novel. 131. [tit. xiv. c. 4.]

[o] [See Just Vindic., c. vi. vol. i. pp. 177, 178.]

imperial authority,—to alter Patriarchates within their own dominions, to exempt their subjects from the jurisdiction of one Primate, and transfer them to another,—I shewed in the Vindication by the examples of King Arthur, who translated the Primacy from Caer-Leon to St. David's above eleven hundred years since; and Henry the First, who subjected St. David's to Canterbury above five hundred years since, for the benefit of his subjects [p]. Neither did any man then complain that they usurped more power than of right did belong unto them. Discourse III. [A. D. 512—516.] [A.D.1115]

This is not to alter the institutions of the Universal Church or of general Councils (supposing they had made any such particular establishment), but, on the contrary, to tread in their steps, and to pursue their grounds, and to do that (with all due submission to their authority) which they would have done themselves in this present exigence of affairs. Make all things the same they were, and we are the same. To persist in an old observation, when the grounds of it are quite changed, and the end, for which the observation was made, calleth upon us for an alteration, is not obedience but obstinacy. General Councils did never so fix Patriarchal power to particular Churches, as that their establishment should be like a law of the Medes and Persians, never to be altered upon any change of the Christian world whatsoever: but to be changed by themselves (as we see they did establish first three Protopatriarchates, then four, then five [q]); or, when general Councils cannot be had (which is the miserable condition of these times), by such as have the supreme authority civil and ecclesiastical in those places where the change is to be made. Suppose a Patriarchal see should be utterly ruined and destroyed by war or other accidents, as some have been; or should change the Bible into the Alcoran and turn Turks, as others have done; suppose a succession of Patriarchs should quit or resign their
216 Patriarchal power explicitly or implicitly, or forfeit it by disuse or abuse; or should obtrude heretical errors and idolatrous practices upon the Churches under their jurisdiction, so as to leave no hope of remedy from their successors; or But in pursuance of them. [Dan. vi. 8.]

[p] [Just Vindic., c. vi. vol. i. pp. 178, 179. See also c. v. ibid. p. 163.]

[q] [See above c. v. sect. 3. p. 165.]

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should go about to enforce them by new laws, and oaths to maintain their usurpations over general Councils, to which all Christians are more obliged than to any Patriarch; lastly, suppose a Patriarchal city shall lie in the dominions of one prince, and the province in the dominions of another, who are in continual war and hostility the one with the other, so as the subjects can neither have licence nor security to make use of their Patriarch;—ought not the respective provinces in all these cases to provide for themselves? Put the case, that a king going to war in the Holy Land should commit the regency to his council, and they constitute a governor of a principal city, who fails in his trust, and makes the citizens swear allegiance to himself and to maintain him against the council; all men will judge that the citizens should do well, if he were incorrigible, to turn him out of their gates. Christ was this King; Who, ascending into the Holy of Holies, left the regiment of His Church with the Apostolical college, and their successors, a general Council. They made the Bishop of Rome a principal governor, and he rebels against them. There needs no further application.

Now to close up this point.—The end is more excellent than the means. The end of the primitive Fathers in establishing the external regiment of the Church in a conformity to the civil government was '*salus populi Christiani*'—the ease and advantage of Christians, the avoiding of confusion and the clashing of jurisdictions. We pursue the same ends with them; we approve of their means in particular, as most excellent for those times, and in general for all times, that is, the conforming of the one regiment to the other. But God alone is without any "shadow of turning" by change. It is not in our power to prevent the conversion of sublunary things. Empires and cities have their diseases and their deaths as well as men. One is, another was, a third shall be. Mother-cities become villages, and poor villages become mother-cities. The places of the residence of the greatest kings and emperors are turned to deserts for owls to screech in and satyrs to dance in. Then, as a good pilot must move his rudder according to the variable face of the heavens, so, if we will pursue the prudent grounds of the primitive Fathers, we must change our external regiment according to

[James i. 17.]

[Isai. xiii. 21.]

the change of the empire. This is better, than by adhering too strictly to the private interest of particular places, to destroy that public end for which external regiment at first was so established. I confess, that this is most proper for a general Council to redress. Every thing is best loosed by the same authority by which it was bound. But in case of necessity, where there can be no recourse to a general Council, every sovereign prince within his own dominions, with the advice and concurrence of his clergy, and due submission to a future œcumenical Council, is obliged to provide remedies for growing inconveniences, and to take order that external discipline be so administered, as may most conduce to the glory of God and the benefit of his Christian subjects.

I made three conditions of a lawful reformation, "just grounds, due moderation, and sufficient authority[r]." He saith, Henry the Eighth had "none of these:"

1. King Henry's divorce lawful, but no *ground* of the Reformation.

First, "no just *ground*, because his ground was, that the Pope would not give him leave to forsake his lawful wife and take another[s]."

Perhaps the Pope's injustice might, by God's just disposition, be an occasion, but it was no "ground," of the Reformation; and if it had, yet neither this nor his other exceptions do concern the cause at all. There is a great difference between *bonum* and *bene*, between a good action and an action well done. An action may be good and lawful in itself, and yet the ground of him that acteth it sinister, and his manner of proceeding indirect, as we see in Jehu's reformation. This concerned King Henry's person, but it concerns not us at all. King Henry protested, that it was his "conscience[t];" they will not believe him. Queen Katherine accused Cardinal Wolsey as the author of it[u]; she never accused Anne Bolcyn, who was in France when that business began[x]. The Bishop of Lincoln was em-

[2 Kings x. 18—29.]

[r] [Just Vindic., c. vi. vol. i. p. 168.]

[s] [Surv., c. vi. sect. 1. p. 80.]

[t] Hall, [Chron.,] in 20 Hen. VIII. an. [1529], fol. 180.

[u] [Id., ibid.,] in 21. [Hen. VIII.] an. [1530], fol. [181,] 182. [See Sharon Turner, Hist. of Engl., in Hen. VIII., bk. i. c. 20. pp. 130—153. 2nd. edit.]

[x] [She was in France probably until 1527, the year in which the divorce was first spoken of. See Twysden's note upon Cavendish's life of Wolsey (Wordsw., Eccles. Biogr., vol. i. p. 496), Burnet, Hist. of the Reform., Pt. i. bk. ii. in an. 1528, vol. i. pp. 87, 88, and Shar. Turner, bk. i. c. 21. pp. 184, 185.]

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ployed to Oxford[y], and Bishop Gardiner and Dr. Fox to Cambridge[z], to see the cause debated. Besides our own Universities, the Universities of Paris, Orleans, Anjou, Bourges, Bononia, Padua, Tholouse, and I know not how many of the most learned doctors of that age, did all sub- 21
scribe to the unlawfulness of that marriage[a], which he calleth lawful. The Bishop of Worcester prosecuted the divorce[b]; the Bishops of York, Duresme, Chester, were sent unto Queen Katherine to persuade her to lay aside the title of Queen[c]; the Bishops of Canterbury, London, Winchester, Bath, Lincoln, did give sentence against the marriage[d]; Bishop Bonner made the appeal from the Pope[e]. The greatest sticklers were most zealous Roman Catholics[f]. And if wise men were not mistaken, that business was long plotted between Rome and France and Cardinal Wolsey, to break the league with the emperor, and to make way for a new marriage with the Duchess of Alençon, sister to the king of France, and a stricter league with that Crown[g]. [Job v. 13.] But God did "take the wise in their own craftiness." Yea, even Clement the Seventh had once given out a Bull privately to declare the marriage unlawful and invalid, if his legate Campeius could have brought the king to comply with the Pope's desires[h]. I will conclude this point with two testimonies; the one of Stephen Gardiner Bishop of Winchester, "*Quid aliud debuit aut potuit,*" &c.—"What else ought the king or could the king do, than, with the full consent of his people and judgment of his Church, . . . to be loosed from an unlawful contract, and to enjoy one that was lawful and

[y] [Herbert, Life and Reigne of Henry VIII., p. 324.—Wood, Antiq. of Oxford, bk. i., in an. 1529, 1530.]

[z] [Herbert, ibid. p. 325.—See Burnet, Hist. of the Reform., Pt. i. bk. ii. in an. 1530, vol. i. pp. 173, 174, and Records, num. 32.]

[a] [See the Just Vindic., c. iii. vol. i. p. 123. note g.]

[b] [Viz. at the Court of Spain as Engl. Ambassador, and then at Rome. See Herbert, in Hen. VIII., pp. 225—230. 301.]

[c] [See their letter to Hen. VIII. on the subject, 21st May, (an. 1534,) in Herbert, ibid. pp. 374—376.]

[d] Hall, [Chron.,] in [25] Hen. VIII. an. [1534, fol. 210.—Herbert, pp. 347—350.]

[e] [Viz. to a general Council. See Sharon Turner, Hist. of Engl., in Hen. VIII., bk. i. c. 26. pp. 343—345.]

[f] All the Cardinals of Rome opposed the dispensation. [i. e. the original dispensation for the marriage. Herbert, in Hen. VIII., p. 8. "Many of the Cardinals in vain opposing it."]

[g] Acworth, Cont. Monarch. Sanderi, lib. ii. cc. 13, 14. [pp. 137—140.]—Hall, [Chron.,] in 19 Hen. VIII. an. [1528], fol. 161.—Sander., De Schism., pp. 11, 12. [ed. 1585.—lib. i. pp. 11—13. ed. 1610.]

[h] [See Just Vindic., c. vi. vol. i. p 196. note p.]

allowed, and, ... leaving her whom neither law nor equity did permit him to hold, to apply himself to a chaste and lawful marriage? in which cause, whereas the sentence of the Word of God alone had been sufficient, to which all ought to submit without delay, yet his Majesty disdained not to use the censures of the gravest men and most famous Universities[l]:" —the second is the testimony of two Archbishops, two Dukes, three Marquisses, thirteen Earls, five Bishops, six and twenty Barons, two and twenty Abbots, with many Knights and doctors, in their letter to the Pope, "*Causæ ipsius justitia,*" &c.—"the justice of the cause itself being approved everywhere by the judgments of most learned men, and determined by the suffrages of most famous Universities, being pronounced and defined by English, French, Italians, as every one among them doth excel the rest in learning[j]," &c. Though he call it a "lawful marriage," yet it is but one doctor's opinion. And if it had been lawful, the Pope and the clergy were more blame-worthy than King Henry. Discourse III.

Secondly, he saith he wanted "due *moderation,*" because "he forced the parliament by fear to consent to his proceedings[k]." 2. The Parliament not forced; [and so due *moderation* in the Reformation.]

I have shewed sufficiently that they were not forced, by their letter to the Pope, by their sermons preached at St. Paul's Cross, by their persuasions to the King, by their printed books; to which I may add their Declaration, called the Bishops' Book, signed by two Archbishops and nineteen Bishops[l]. Nor do I remember to have read of any of note that opposed it but two, who were prisoners and no parliament-men at that time: Sir Thomas More (yet when King Henry writ against Luther, he advised him to take heed how he advanced the Pope's authority too much, lest he diminished his own[m]); and Bishop Fisher, who had consented in Convo- A. D. 1530. cation to the king's title of the "Supreme Head of the English Church, *quantum per Christi legem licet*[n]." But

[i] Stephan. Winton., De Verâ Obedientiâ, apud Goldast., [Monarch. S. Rom. Imp.,] tom. i. p. 721. [ed. Hanov. 1612.]

[j] Lord [Herbert of] Cherbury, in Hen. VIII., an. 1530, p. 303. "Sufficere sane alioqui debuisset causæ ipsius," &c. [as above in the text. The numbers of the signatures are not quite accurately given.]

[k] [Surv., c. vi. sect. 1. p. 80.]

[l] Idem, p. 334. [Lord Herbert, ibid., pp. 390, 391. See also Just Vindic., c. ii. vol. i. pp. 120—122.]

[m] [See Roper's Life of Sir Thomas More, pp. 80—83. ed. Singer.]

[n] [Herbert, in Hen. VIII., pp. 320, 321. But see Hall's Life of Bp. Fisher, cc. xv, xvi; and above c. iii. sect. 2. p. 99. notes m, n.]

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because Bishop Gardiner is the only witness whom he produceth for proof of this allegation, I will shew him out of Stephen Gardiner himself, who was the tyrant that did compel him. "*Quin potius orbi rationem reddere volui,*" &c.—"I desired rather to give an account to the world what changed my opinion, and compelled me to dissent from my former words and deeds;—that compelled me (to speak it in good time), which compelleth all men when God thinketh fit, the force of truth, to which all things at length do obey[o]." Behold the tyrant—not Henry the Eighth, but "the force of truth,"—which compelled the parliament. Take one testimony more out of the same treatise;—"But I fortified myself, so that (as if I required the judgment of all my senses) I would not submit nor captivate my understanding to the known and evident truth, nor take it to be sufficiently proved, unless I first heard it with mine ears, and smelt it with my nose, and see it with mine eyes, and felt it with my hands[p]." Here was more of obstinacy than tyranny in the case. Either Stephen Gardiner did write according to his conscience, and then he was not compelled: or else he dissembled, and then his second testimony is of no value;—it is not my judgment, but the judgment of the law itself;—'*Semel falsus, semper presumitur falsus.*'

["ut uno verbo dicam."]

3. [Henry the Eighth had sufficient *authority.*]

To the third condition he saith only, that Henry the Eighth had not "sufficient authority" to reform,—

First, "because it was the power of a small part of the Church against the whole[q]."

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I have shewed the contrary;—that our Reformation was not made in opposition, but in pursuance, of the acts of general Councils; neither did our Reformers meddle without their own spheres.

And, secondly, because the Papacy is of "Divine" right[r].

Yet before he told us that it was doubtful[s], and very courteously he would put it upon me to prove, that "the regiment of the Church by the Pope is of human institution[t]." But I have learned better,—that the proof rests upon his side; both because he maintains an affirmative, and because we are in

[o] De Verâ Obedientiâ, [as quoted in note i,] p. 719.
[p] [Ibid.]
[q] [Surv., c. vi. sect. 1. p. 80.]
[r] [Ibid., p. 81.]
[s] [Ibid., c. v. sect. 3. p. 69.]
[t] [Ibid., c. vi. sect. 1. p. 81.]

possession. It were a hard condition, to put me to prove against my conscience, that the universal regency of the Pope is of human right, who do absolutely deny both his Divine right and his human right.

His next exception is, that it is no sufficient warrant for princes "to meddle in spiritual matters, because some princes have done so[u]."

If he think the external regiment of the Church to be a matter merely spiritual, he is much mistaken. I cite not the exorbitant acts of some single prince or princes, but a whole succession of kings, with their Convocations, and Parliaments, proceeding according to the fundamental laws of the kingdom. So he might have spared his instances of Saul and Uzziah[v].

But he saith, that "what King Henry did in such matters was plainly against his own conscience, as appeareth by his frequent and earnest desires to be reunited to the Pope[x]." King Henry did not act against conscience.

It is a bold presumption in him to take upon him to judge of another man's conscience. God alone knows the secret turnings and windings of the heart of man. Though he had desired a reconciliation with Rome, yet charity requires, that we should rather judge that he had changed his mind than that he violated his conscience. Neither will this uncharitable censure, if it were true, advantage his cause the black of a bean. His conscience might make the Reformation sinful in him, but not unlawful in itself. The lawfulness or unlawfulness of the action within itself, depends not upon the conscience of the doer, but the merit of the thing done.

His witnesses are Bishop Gardiner and Nicholas Sanders[y]. The former a great counsellor of King Henry, a contriver of the oath, a propugner of the king's supremacy, both in print and in his sermons, and a persecutor of them who opposed it[z]. For a preacher to preach against his own conscience, comes near the sin against the Holy Ghost. He had reason to say he was "constrained[z]," both to hide his own shame, and to flatter the Pope (after his revolt), whom he had so much opposed, especially in the days of Queen Mary;

[u] [Ibid.]
[v] [Quoted in Surv., ibid.]
[x] [Ibid., p. 82.]
[y] [Surv.,] c. iii. sect. [2. p. 43.]
[z] [See above c. iii. sect. 2. pp. 99—101.]

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His latter witness, Nicholas Sanders, is just such another; whose book "*De Schismate*" is brimfull of virulent slanders and prodigious fictions against King Henry. He feigneth, that "when his death did draw nigh, . . . he began to deal privately with some Bishops, of the way how he might be reconciled to the See Apostolic[d]." Testimony he produceth none, but his own authority. They, who will not believe it, may choose. But that which followeth, spoileth the credit of his relation,—that "one of the Bishops, being doubtful

[a] [Foxe, Acts and Monum., (bk. x. vol. iii. p. 92, from Gardiner's Sermon at St. Paul's Cross in 1554,) quoted by R. C., Surv., c. iii. sect. 2. p. 43.]

[b] Lord [Herbert of] Cherb., in Hen. VIII., an. 1530. pp. [304,] 305.

[c] [De Verâ Obedient., (p. 731, as quoted in note i, p. 189,) in Append. ad Fascic. Rer. Expetend. et Fugiend., p. 817.]

[d] [De Schism., fol. 101. (ed. 1585. lib. i. pp. 208, 209. ed. 1610), referred to by R. C., Surv., c. iii. sect. 2. p. 43.]

whether this might not be a trap to catch him, answered that
219 the king was wiser than all men, that he had cast off the Pope's supremacy by Divine inspiration, and had nothing now to fear[e]." That a king should be laying snares to catch his Bishops "*appropinquante hora mortis*[f]"—"when the very hour of his death was drawing near," and that a Bishop should flatter a dying man so abominably against his conscience (as he makes this to be), is not credible.

"Consilio Divino."

But there is a third author alleged by others who deserved more credit,—that "it was but the coming two days short of a post to Rome, which hindered that the reconcilement was not actually made[g]." But here is a double mistake. First, in the time;—this was in the year 1533, before the separation was made, "*currente rotâ*[h]:" some intimations had been given of what was intended, but the bell was not then rung out; certainly the breach must go before the reconcilement, in order of time. Secondly, in the subject;—this treaty was not about the jurisdiction of the Court of Rome over the English Church, but about the divorce of King Henry and Queen Katharine. The words are these, that "if the Pope would supersede from executing his sentence, until he" (the king) "had indifferent judges who might hear the business, he would also supersede of what he was deliberated to do in withdrawing his obedience from the Roman See[i]." The Bishop of Paris procured this proposition from the king, and delivered it at Rome. It was not accepted. The king's answer came not within the time limited. Thereupon the Pope published his sentence, and the separation followed[k]. So this was about the change of a wife, not of religion, before either King Henry's substraction of obedience, or the Pope's fulmination.

In the next place he distinguisheth between the Pope and the Papacy, acknowledging, that 'it may be lawful in some cases to substract obedience from the Pope, but in no case from the Papacy[l];' which he presumeth, but doth not prove, to be of Divine institution: whereas "Protestants" (saith he), "for the faults of some Popes," have separated themselves

[R. C.'s distinction between the Pope and the Papacy.]

[e] [Id., ibid.,] p. 102. [ed. 1585.—lib. i. p. 209. ed. 1610.]
[f] [Id., ibid., p. 101. ed. 1585. The phrase is altered in the later editions.]
[g] [From] Lord [Herb. of] Cherb., [in Hen. VIII., pp.] 3[68, 369.]
[h] [Horat., A. P. 22.]
[i] [Lord Herb., ibid. p. 368.]
[k] [Id., ibid., pp. 368, 369.]
[l] [Surv., c. vi. sect. 2. pp. 85, 86.]

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both "from Pope, Papacy, and Roman Church[m]." And here again he falls upon his former needless theme, that 'personal faults are no sufficient ground of a revolt from a good institution[n].' If he had been pleased to observe it, I took away this distinction before it was made; shewing, that "the personal faults of Popes or their ministers ought not to reflect upon any but the persons guilty," but "faulty principles, in doctrine or discipline," do "warrant a more permanent separation, even until they be reformed[o]."

Our separation from the Papacy was not for the faults of Popes, but of the Papacy itself.

I do acknowledge the distinction of "Pope, Papacy, and Church of Rome;" but I deny, that we have separated from any one of them for the faults of another. As the Pope may have his proper faults, so may the Papacy, so may the Church of Rome. We have separated ourselves from the Church of Rome only in those things wherein she had first separated herself from the ancient Roman Church; in all other things we maintain communion with her. We are ready to yield the Pope all that respect which is due to the Bishop of an Apostolical Church, and whatsoever external honour the Fathers did think fit to cast upon that see, if he would content himself therewith. But the chief grounds of our separation are those which are inherent in the Papacy itself, '*qua talis*,' as it is now defended, as they seek to obtrude it upon us: the lawless exorbitant oppression of the Roman Court; the sovereignty of the Pope above general Councils; his legislative and judiciary power in all Christian kingdoms, against the will of the right owners; his pretended right to convocate synods, and confirm synods, and dissolve synods, and hold legantine courts, and obtrude new points of Faith as necessary articles, and receive the last appeals, and dispose of all ecclesiastical dignities and benefices at his pleasure, and impose tenths and first-fruits and subsidies and pensions; to invest Bishops, and sell pardons, and indulgences, and palls. These and the like are not the faults of Innocent the Tenth, or Urban the Eighth, or Sixtus, or Pius, or Alexander, or Clement, or any particular Pope. But they are the faults of the Papacy itself, woven into the body of it, and without the acknowledgment of which they will suffer us to

[m] [Ibid., sect. 3. pp. 86, 87.]
[n] [Ibid., sect. 2. p. 86.]
[o] [Just Vindic., c. vi. vol. i.] p. [179.]

hold no communion with the Papacy. I do not say that they are inseparable; for the time hath been when the Papacy was without those blemishes; but that it is folly at this time to hope from them for the ancient liberty of the Church: as the countryman expected that the river should be run out, and become dry,— Discourse III.

220 " Rusticus expectat ut defluat amnis, at ille
" Labitur et labetur in omne volubilis ævum[p]."

We expected remedy and hoped for reformation from the time of Henry the First, in whose reign their encroachments did begin to grow signal and notorious, until the days of Henry the Eighth, throughout the reigns of seventeen succeeding kings; and found not the least ease from them, but what we carved out ourselves. No law of God or man doth require that we should wait eternally. The Lord of the Vineyard thought three years enough to expect fruit of the fruitless figtree, and when it improved not in the fourth year, the sentence issued against it, " cut it down, why cumbereth it the ground." Luke xiii. 7.

He urgeth, that "if some Popes have wronged England temporally, far more Popes have benefited it much more both temporally and spiritually[q]." Whether Popes have done more good or hurt to England not material.

" Sufficit unus
" Huic operi:"—

this were more comely in our mouths than in theirs. Some men would go make an estimate of Papal importations, as parchment and lead and wax and crosses, *Agnus Dei*'s, and relics; and their exportations, gold, silver, jewels, and whatsoever the land afforded either for necessity or delight. But I will spare his modesty, and suppose more than ever he will be able to prove. Ancient virtues or benefits do not justify an old institution, when it is grown useless and subject to desperate abuses. The Brasen Serpent was instituted by God Himself; it was a singular type of Christ; it saved the temporal lives of the Israelites, and pointed them out the right way to eternal life. Yet, when it was become useless and abused over much, Hezekiah is commended for breaking it in pieces, and calling it Nehushtan—an useless piece of common brass, that had quite lost its ancient virtue. The [Numb. xxi. 8, 9.] 2 Kings xviii. 4.

[p] [Horat., Epist., I. ii. 42, 43. "*dum* defluat" &c.] [q] [Surv., c. vi. sect. 2. p. 85.]

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order of the Templars was instituted about the year 1120[r]. Scarcely any order can shew such a hopeful beginning at their first institution, or such a huge progress towards greatness in so short a revolution of time. He who shall read these extraordinary praises which are given them by St. Bernard[s] (who is thought to have been the author of their rule[t]), will take them rather to have been a society of angels than of mortal men. Yet, in the days of Clement the Fifth, [A.D. 1307—1311.] they were generally suppressed throughout the whole world as it were in an instant, not for common faults, but horrid crimes, and prodigious villanies, by the joint consent of the occidental Church and sovereign princes[u]. I inquire not whether their accusation was just or not; but from hence I do collect, that in the judgment of this occidental world a good institution may be deservedly abrogated for subsequent abuses. As we had not the same latitude of power, which they who censured them had, so we did not act without our own sphere, or the bounds of the English dominions.

SECTION THE SECOND.

In the Vindication I urged three points, wherein the Romans do agree with us.

[Two points out of three urged in the Vindication, unanswered by R. C.]

First, "that sovereign princes not only may but in justice are obliged to repress the tyranny of ecclesiastical judges, and protect their subjects" from their violence, and "free" them from their oppressive yoke[x]. To this he answereth nothing.

Secondly, that "princes may be enabled, either by grant or by prescription" (I added by "their sovereign authority over the whole body politic"), "to exercise all external ecclesiastical jurisdiction by themselves or by fit delegates," and

[r] [Instituted A.D. 1118, and confirmed in the Council of Treves A.D. 1128; Labb., Concil., tom. x. pp. 922, sq. See Mosheim, Eccles. Hist., Cent. xii. bk. iii. c. 1. § 14. ed. Soames, and authorities there quoted.]

[s] [Lib. de Laude Nov. Milit., ad Milites Templi, Op. tom. ii. pp. 541, sq. ed. Bened.; and Epist. clxxv. ibid. tom. i. p. 172.]

[t] [Mabillon, Annal. Bened., tom. vi. p. 159; quoted by Mosh., ibid.]

[u] [At the Council of Vienna in 1311; Labb., Concil., tom. xi. Pt. ii. pp. 1538, sq. 1557, sq. See Mosheim, ibid. Cent. xiv. bk. iii. c. 5. § 9, 10.—Du Puy, Hist. de la Condemnation des Templiers; and for England, Shar. Turner, Hist. of Engl. in Mid. Ages, bk. ii. c. 3. in fine, and Wilkins' Concil., there quoted.]

[x] [Just Vindic., c. vi. vol. i. pp. 169, 170.]

to make ecclesiastical laws for the external regiment of the Church, to which their subjects owe obedience[y]. This alone were sufficient to free us from schism. But to all this likewise he saith not one word good or bad.

It was lawful to withdraw obedience from Papal authority corrupted.

Thirdly, that it is lawful 'in several cases to substract obedience from the Pope[z].' And among other proofs I cited the Council of Tours[a]. To this only he answers, that they acknowledged it lawful "to withdraw obedience from this or that Pope, in this or that case," but not "from Papal authority itself[b]." Whereas I shewed him in the Vindication[c], that the same equity which doth allow substraction of obedience from this or that Pope for "personal faults," as "schism or simony," doth likewise allow substraction of obedience from him and his successors for "faulty principles,"—as "obtruding new creeds, pressing of unlawful oaths, palpable usurpation of undoubted rights,"—even until they be reformed. "Papal authority" without the Pope is but an imaginary idea; whosoever substracts obedience from the
221 true Pope, substracts obedience from the "Papal authority;" perhaps, indeed, not simply or absolutely, but respectively; as he saith, "in this or that case." But what if the Pope will not suffer them to pay their obedience in part, so far as it is due, but have it entire according to his own demands, or none at all? Then it is not they who separate themselves from "Papal authority," but it is "Papal authority" which separates them from it. Either he understands "Papal authority" such as it ought to be *de jure;* and then we have substracted no obedience from it, for we owed it none, and are not unwilling for peace' sake to pay it more respect than we do owe: or else by "Papal authority" he understands a spiritual monarchy, such as it is now, with superiority above general Councils, and infallibility of judgment, and legislative authority, and patronage of all ecclesiastical preferments, &c.; and then the universal Church did never acknowledge any such "Papal authority;" and then to withdraw our obedience from it, is not to substract obedience from a lawful, but from an unlawful and tyrannical power.

[y] [Ibid., pp. 170, 171.]
[z] [Ibid., pp. 173, 174.]
[a] Concil. Turon. [A.D. 1510], Respons. ad Artic. 3, 4, et 8. [ap. Labb., Concil., tom. xiii. p. 1482; quoted in Just Vindic., c. vi. vol. i. p. 174.]
[b] [Surv., c. vi. sect. 2. p. 83.]
[c] [Just Vindic., c. vi. vol. i. p. 179.]

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Princes the last judges of the injuries done to their subjects by Popes.

When sovereign princes do withdraw obedience "from this or that Pope, in this or that case," they make themselves judges of the difference between them and the Court of Rome; as, whether the Pope have invaded their privileges, or usurped more authority than is due unto him; or in contemning his censures (which the Council of Tours doth expressly allow them to do[d]), and judging whether the Pope's Key have erred or not. Yield thus much, and the question is at an end,—that sovereign princes within their own dominions are the last judges of their own liberties, and of Papal oppressions and usurpations, and the validity or invalidity of the Pope's censures.

Kingly authority from God, [but] not Papal.

There is one thing more in this discourse in this place which I may not omit,—that "Papal authority" is "instituted immediately by God," but "not regal[e]." '*Cujus contrarium verum est.*' He was once, or seemed to be, of another mind;—'For of Almighty God His mere bounty and great grace they' (kings) 'receive and hold their diadems and princely sceptres[f].' St. Paul saith expressly, speaking of civil powers, "The powers that be, are ordained of God;" and "whosoever resisteth the power, resisteth the ordinance of God, and they that resist shall receive to themselves damnation." The Eternal Wisdom of the Father hath said, "By Me kings reign and princes decree justice." If they be "ordained by God," and "reign by God," then they are "instituted by God." Therefore they are justly styled the living images of God That saveth all things. He Who said, "By Me kings reign," never said, 'By Me Popes reign.' Kings may inherit by the law of man, or be elected by the suffrages of men; but the regal office and regal power is immediately from God. No man can give that which he himself hath not. The people have not power of life and death. That must come from God. By the law of nature fathers of families were princes; and when fathers of families did conjoin their power to make one father of a country, to

Rom. xiii. 1, 2.

Prov. viii. 15.

[d] [Concil. Turon. Respons. ad Artic. 8, as before quoted.]

[e] [Surv., c. vi. sect. 2. p. 84.]

[f] Bish. [of Chalced.], Epist. ad Reg. Jacob., p. 11. [There is a clause to the same effect as that in the text in the Latin translation of R. C.'s Epist. Historica ad Reg. Jacob., in fin. Flor. Hist. Eccl. Angl., p. 416; but nothing corresponding to the words. The editor cannot meet with the original English edition of the tract.]

whom doth he owe his power but to God, from whom fathers of families had their power by the law of nature? As for the Pope, he derives his Episcopal power from Christ, his Patriarchal power from the Church, and monarchical power from himself.

SECTION THE THIRD.

The grounds of our separation.

After this in the Vindication I descended to several new considerations; as, namely, the power of princes to "reform new canons by the old canons" of the Fathers, the subjection of Patriarchal power to imperial (which I shewed by a signal example of Pope Gregory, who obeyed the command of Mauritius the emperor though he did not take it to be "pleasing to Almighty God"), the erection of new Patriarchates by emperors, and the translation of Primacies by our kings[g]. And so I proceeded to the grounds of their separation: first, the "intolerable rapine and extortions of the Roman Court" in England; secondly, their unjust usurpations of the undoubted rights of all orders of men, and particularly how they made our kings to be their "vassals" and the succession to the Crown arbitrary at their pleasures; thirdly, because our ancestors "found by experience that such foreign jurisdiction was destructive to the right ends of ecclesiastical discipline;" fourthly, "sundry other inconveniences,"—to have been "daily subject" to the imposition of new articles of Faith, to be "exposed to manifest peril of idolatry," to "have forsaken the communion of three parts of Christendom," to "have approved the Pope's rebellion against general Councils," and to have "their Bishops swear to maintain him
222 in his rebellious usurpations;" lastly, the privilege of the Britannic Churches, the Pope's disclaiming all his patriarchal authority, and their challenging of all this by Divine right, which made their sufferings "irremediable" from Rome[h]. Lastly, I shewed, that our ancestors "from time to time" had made more addresses to Rome for remedy than either in duty or in prudence they ought to have done[i]. All this he

[g] [Just Vindic., c. vi. vol. i. pp. 175—179.]

[h] [Ibid., pp. 180—192.]

[i] [Ibid., pp. 193—196.]

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passeth by in silence, as if it did not concern the cause at all. Only he repeats his former distinction between "the Pope, the Papacy, and the Roman Church[k]," which hath been so often confuted already; and blameth Protestants "for revolting from the Roman Church for the faults of some" few "Popes[l]." As if all these things which are mentioned here, and set down at large in the Vindication, were but some infirmities, or some petty faults of some few Popes. I have shewed him clearly, that the most of our grounds are not the "faults of the Popes," but the faults of the Papacy itself. And as for "forsaking" the Church of Rome[m], he doth us wrong. I shewed him out of our Canons in this very place[n], that we have not forsaken it, but only left their communion in some points, wherein they had left their ancestors. We are ready to acknowledge it as a sister to the Britannic Church, a mother to the Saxon Church, but as a lady or mistress to no Church.

SECTION THE FOURTH.

Afterwards he descendeth to two of the grounds of our Reformation, to shew that they were insufficient, "the new Creed" of Pius the Fourth, and "the withholding the Cup from the laity[o]." Two of two and twenty make but a mean induction. He may if he please see throughout this treatise, that we had other grounds besides these. Yet I confess that in his choice he hath swerved from the rules of prudence, and hath not sought to leap over the hedge where it was lowest.

1. The Pope's new articles of Faith a just cause of separation.

First (saith he), "the new Creed could not be the cause of the separation, because the separation was made before the Creed[p]."

He saith true, if it had been only the reduction of these new mysteries into the form of a Creed, that did offend us. But he knoweth right well, that these very points, which Pius the Fourth comprehended in a new Symbol or

[k] [Surv., c. vi. sect. 3. p. 87. See above sect. 1. pp. 193, 194.]
[l] [Ibid., p. 86.]
[m] [Ibid., p. 87.]
[n] [Canon. 1603,] can. 30. [quoted in Just Vindic., c. vi. vol. i. pp. 197, 198.]
[o] [Surv., c. vi. sect. 4. p. 89.]
[p] [Ibid., p. 91.]

Creed, were obtruded upon us before by his predecessors as necessary articles of the Roman Faith, and required as necessary conditions of their communion, so as we must either receive these, or utterly lose them. This is the only difference,—that Pius the Fourth dealt in gross, his predecessors by retail. They fashioned the several rods, and he bound them up into a bundle. He saith, that "the new Creed is nothing but certain points of Catholic Faith proposed to be sworn of some ecclesiastical Catholic persons, as the Thirty-nine Articles were in the Protestants' new Creed proposed by them to ministers[q]." Pius the Fourth did not only enjoin all ecclesiastics, seculars, and regulars, to swear to his new Creed, but he imposed it upon all Christians, as "*veram Fidem Catholicam extra quam nemo salvus esse potest*[r]" (they are the very words of the Bull)—"as the true Catholic Faith without believing of which no man can be saved." This is a greater obligation than an oath, and as much as the Apostles did impose for the reception of the Apostolical Creed. We do not hold our Thirty-nine Articles to be such necessary truths, "*extra quam non est salus*"—"without which there is no salvation;" nor enjoin ecclesiastic persons to swear unto them, but only to subscribe them, as theological truths, for the preservation of unity among us, and the extirpation of some growing errors.

Discourse III.

Secondly, he adds, that the detaining of the Cup could be no sufficient ground of separation, because Protestants do confess, that it "is an indifferent matter of itself, and no just cause to separate communion[s]."

2. The detaining of the Cup in the Sacrament a just cause of separation.

Doth the Church of England confess it to be an indifferent matter? No, nor any Protestant Church. All their public Confessions do testify the contrary. Nay more, I do not believe that any one Protestant in his right wits did ever confess any such thing. But this it is to nibble at authors, and to stretch and tenter their words by consequences quite beyond their sense. It may be that Luther at some time said some such thing[t], but it was before he was a formed Protestant, whilst he was half

[q] [Ibid. pp. 89, 91.]

[r] [Bull. Pii IV., in Act. Concil. Trident., ap. Labb., Concil., tom. xiv. p. 946. B.]

[s] [Surv., c. vi. sect. 4. p. 90.]

[t] [In the Declaration prefixed to his Sermon on the Eucharist, as quoted by Cochlæus (Lutherus Septiceps, c. 23); and from him by Bellarmine as quoted in the next note, and by R. C., Surv., c. vi. sect. 4. p. 90.]

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sleeping half waking. Bellarmine styles it "*in initio Apostasiæ*[z]." But after his eyes were well opened, he never confessed any such thing, but the just contrary. Suppose that Brentius saith, that "abstemious" persons, such "whose nature doth abhor wine," may receive under one kind[a]; what a pitiful argument is this, drawn from a particular rare case of invincible necessity, to the common and ordinary use of the Sacrament! The elephant was exempted from doing 223
obeisance to the lion, because he had no knees. But it is the height of injustice, to withhold his right from one man, because another cannot make use of it. Suppose that Melancthon declare his own particular opinion, that those countries where wine is not to be had should do well to make use of honied water in the Sacrament[b]; what doth this signify as to the cause he hath in hand, whether they use some other liquor in the place of wine, or use no liquor at all? Invincible necessity doth not only excuse from one kind but from both kinds; and where the Sacrament cannot be had as it ought, the desire to have it sufficeth before God. We read of some Christians in India, where they had no wine, that they took dry raisins and steeped them in water a whole night, and used that liquor which they squeezed out of them in the place of wine for the Sacrament[c]. It would trouble one as much in many parts of the world to find right bread, as wine. That nourishment which Indians eat in the place of bread, being made of the roots of plants, doth differ more from our bread made of wheat, than cyder or perry or honied water do differ from the juice of the grape, which are such many times as are able to deceive a good taste. If wine were as rare and precious in the world as right balm, which they make to be the matter of a Sacrament[d], there were more to be said in it. They themselves do teach, that it is absolutely necessary, that the Sacrament be consecrated in

[z] [De Sacram. Euchar. lib. iv. c. 20, Op. tom. ii. p. 873. B; speaking of the present subject.]

[a] [Apolog. Confess. Wirtemberg. (Pericop. ii. P. ii. c. 1. De Euchar., Op. tom. viii. pp. 518, 519. Tubing. 1590): quoted by Bellarm., ibid. c. 24. p. 914. D.]

[b] [Lib. de Usu Integri Sacram., Op. tom. ii. p. 136. Witemb. 1601; quoted by Bellarm., ibid. p. 915. B. C.]

[c] Odoardus Barlosa, Forma Celebrandi, &c. [Libro di Odoardo Barbosa Portughese dell' Indie Orientali, in Ramusio's Navigatione et Viaggi, tom. i. p. 313. Venez. 1588.]

[d] [Viz. of the Sacrament of Confirmation. See Bellarm., De Sacram., Confirm., lib. ii. c. 9.]

wine, and that it be consumed by the priest. They who can procure wine for the priest, may procure it for the people also, if they will. The truth is, all these are but made dragons. No man ever was so abstemious, but that he might taste so much wine tempered with water, as they use it, as might serve for the Sacrament, where the least imaginable particle conveyeth Christ to the receiver as well as the whole Chalice full. Neither is there any Christian country in the world, where they may not have wine enough for this use, if they please.

Papists right heirs of the Donatists.

So, notwithstanding any thing he saith to the contrary, their daily obtruding new articles of Faith, and their detaining the Cup in the Sacrament, were just grounds of separation; but not our only grounds. We had twenty other grounds besides them. And therefore he had little reason to say, that 'at least the first Protestants were schismatics [e];' and in this respect to urge the authority of Optatus against us, to prove us to be the "heirs of schismatics [f]." Optatus, in the place by him cited, speaks against the traditors, with whom we have nothing common, and the Donatists, their own ancestors, not ours, whose case is thus described there by Optatus,—"*Cujus tu cathedram tenes, quæ ante ipsum Majorinum originem non habebat*"—"Whose chair thou possessest, which had no original before Majorinus [g]," a schismatical Donatist. This is not our case. We have set up no new chairs, nor new altars, nor new successions, but continued those which were from the beginning. There is a vast difference between the erecting of a chair against a chair, or an altar against an altar, which we have not done; and the repairing of a Church or an altar wherein it was decayed, which we were obliged to do.

Whether Protestants and Papists differ in essentials.

In the next place, he endeavoureth to prove "by the general doctrine of Protestants, that they differ from Papists in fundamental points necessary to salvation [h]."

[e] [Surv., c. vi. sect. 4. p. 91.]

[f] Optat., [De Schism. Donatist.,] lib. [i. c. 10; quoted by R. C., Surv., ibid.]

[g] [Optat., ibid. For "tenes" Dupin reads "sedes."]

[h] [Surv., c. vi. sect. 4. p. 90; quoting Calvin, Institut., lib. iv. c. 12. § 2. (Op. tom. viii. p. 329; perhaps meant for § 21. p. 334: in § 2. there is nothing to the purpose); and Cont. Versipellem (ibid. tom. ix. p. 312), where Rome is called "Anti-Christ," &c.:—Whitaker, Controv. ii. Qu. 6. c. 3. (Op. tom. i. p. 562. Genev. 1610.)—Perkins, Expos. of the Creed, (Art. on the Church, Works, vol. i. p. 305. Lond. 1616). The last two speak of "funda-

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If they do, it is the worse for the Romanists; in the mean time the charity of Protestants is not to be blamed. We hope better of them; and, for any thing he saith to the contrary, we believe that they do not differ from us in fundamentals. But let us see what it is that the Protestants say. Some say that "Popish errors are damnable[i]." Let it be admitted, many errors are damnable which are not in fundamentals. Errors which are damnable in themselves, are often pardoned by the mercy of God, who looks upon His creatures with all their prejudices. Others say, that "Popish and Protestant opinions are diametrally opposite[k]." That is certain; they are not all logomachies. But can there be no diametral opposition except it be in fundamentals? There are a hundred diametral oppositions in opinion among the Romanists themselves, yet he will not confess that they differ in fundamentals. Lastly, others say that 'the religion of Protestants, and the religion of the Church of Rome,' are not "all one for substance[l]." I answer, first, that the word "substance" is taken sometimes strictly, for the essentials of any thing, which cannot be separated without the destruction of the subject. Thus a man is said to be the same man in "substance," while his soul and body are united, though he 224
have lost a leg or an arm, or be reduced to skin and bone. And in this sense the Protestant and Popish Church and religion are the same in "substance." At other times the word "substance" is taken more largely, for all real parts, although they be separated without the destruction, and sometimes with the advantage, of the subject. And so all the members, yea, even the flesh and blood and other humors, are of the "substance" of a man. So we read, "Thine eyes did see my substance being yet unperfect, and in Thy books were all my members written." And in this sense the Protestant and Popish religion are not the same in "substance." Secondly, the word 'substantials' may either signify old substantials, believed and practised by all Churches, in all ages, at all times, which are contained in the Apostles'

Ps. cxxxix. 16.

mental" differences between Protestants and Papists.]

[i] [Chillingworth, Relig. of Protestants, p. 312. (§ 111); quoted by R. C., Surv. ibid.]

[k] [Chillingw., ibid. (§ 112); quoted by R. C., Surv. ibid.]

[l] [Perkins, Epist. Dedicat. to the Reformed Catholique; quoted by R. C., Surv. ibid.]

Creed,—and thus our religion and the Roman religion are the same in "substance;"—or new substantials, lately coined and obtruded upon the Church, as those articles which are comprehended in the Creed of Pius the Fourth,—and in this sense our religion and theirs are not the same in "substance." The former substantials were made by God, the latter substantials devised by man.

SECTION THE FIFTH.

Papists acknowledge possibility of our salvation as much as we of theirs.

I pleaded, that when all things were "searched to the bottom," Roman Catholics do "acknowledge the same possibility of salvation" to Protestants, which Protestants do afford to Roman Catholics; and for proof thereof I produced two testimonies of his own [m].

To this he answers,—

First, that Protestants do "allow saving faith and salvation to the Roman Church and to formal Papists," but Roman Catholics do "deny saving faith and salvation to the Protestant Church and to formal Protestants," and grant it only to "such Protestants as are invincibly ignorant of their errors, who are not formal Protestants, but rather '*Protestantibus credentes*[n],'—persons deceived by giving too much trust to Protestants [o]." We say the very same,—that we allow not saving faith or salvation to the Popish Church, as it is corrupted, but as it retains with Protestants the same common principles of saving truth, and is still jointed in part to the Catholic Church; nor to "formal Papists," but to such as err invincibly, and are prepared in their minds to receive the truth when God shall reveal it. Such are not "formal Papists," but '*Papistis credentes*'—such as 'give too much trust to Papists.'

His second answer is a second error, grounded only upon those imaginary ideas, which he hath framed to himself in his own head of the opinions of particular Protestants, and laboured much to little purpose to prove by conjectural con-

[m] [Just Vindic., c. vi. vol. i. pp. 198, 199; quoting R. C.'s Protestants' Plain Confession, &c. c. xiii. pp. 151, 152, and Distinction of Fundamentals and not Fundamentals, c. ii. p. 62.]

[n] [Referring to S. Augustin's distinction between "Hæreticus" and "Hæreticis credens." De Utilit. Credendi, c. i. Op. tom. viii. p. 45. A.]

[o] [Surv., c. vi. sect. 5. p. 92.]

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sequences, which hang together like a rope of sand;—that Protestants affirm that "such as err in fundamental articles," and such as "err sinfully in not-fundamentals, may be saved [p]." Neither the Church of England, against which he ought to bend his forces in this question, nor any genuine son of the Church of England, nor any other Protestant Church, ever said, that Papists might be saved though they held not the fundamentals of saving truth, or though they held lesser errors pertinaciously without repentance. If any particular Protestants were ever so mad to maintain any such thing in an ordinary way (for we speak not now of the extraordinary dispensations of God's grace, in case of invincible necessity), we disclaim them in it; let him not spare them. But I believe, that when all is done about which he makes such a stir, it will prove but moonshine in the water.

SECTION THE SIXTH.

Our separation only from errors.

'To what I said, that our separation is from their errors, not from their Church [q],' he answereth, that it "shews my ignorance what their Church is, for their Church is a society partly in their pretended errors, and therefore they, who separate from them, separate from their Church [r]."

In my life I never heard a weaker plea. But I desire no other advantage than what the cause itself affords. Doth he himself believe in earnest, that any errors are 'essentials of a Church [s]?' Or would he persuade us that weeds are "essentials" of a garden; or ulcers, and wens, and such superfluous excrescences, essentials of a human body? Or do weeds become no weeds, and errors no errors, because they are called "pretended" weeds or "pretended errors," or because they are affirmed to be "essentials?" This is enough to justify my distinction. So it was not "my ignorance," but their obstinacy, thus to incorporate their errors into their Creeds, and matricu-

Matt. xv. 9.

late their abuses among their sacred rites. "In vain do they worship Me" (saith God), "teaching for doctrines the commandments of men." Suppose an Arian or a Pelagian

[p] [Ibid., pp. 92, 93.]
[q] [Ibid., sect. 6. p. 93; from Just Vindic., c. vi. vol. i. p. 199.]
[r] [Surv., ibid.]
[s] [Ibid., p. 94.]

225 should charge him to be a schismatic or an apostate, because he deserted their communion; to which he should answer, that his separation was from their Arian or Pelagian errors, not from their Church as it was a Christian Church, and that he held all other common principles of Christianity with them: and suppose the Arian or Pelagian should plead, as he doth, that their "Church is a society partly in their pretended errors," or that their "pretended errors" are "essentials" of their Church and of their religion: this might well aggravate their own faults, but not infringe the truth of his answer. Errors continue errors though they be called "essentials." There was a time before Arianism did infest the Church, and there succeeded a time when it was cast out of the Church. Their old essentials, which were made essentials by Christ, we do readily receive; their new essentials, which were lately devised by themselves, we do as utterly reject; and so much the rather, because they have made them essentials. Their Church flourished long without these errors; and we hope the time will come, when it shall be purged from these errors.

In setting forth the moderation of our English Reformers, I shewed, that "we do not arrogate to ourselves either a new Church, or a new religion, or new Holy Orders[t]."

We arrogate to ourselves no new Church, &c.

Upon this he falls heavily two ways.

"First," he saith, "it is false," as he hath "shewed by innumerable testimonies of Protestants[u]." That which I say is not the falser because he calls it so, nor that which he saith the truer because I forbear. For what I said I produced the authority of our Church[x]; he letteth that alone, and sticketh the falsehood upon my sleeve. It seemeth, that he is not willing to engage against the Church of England; for still he declineth it, and changeth the subject of the question from the English Church to a confused company of particular authors, of different opinions, of dubious credit, of little knowledge in our English affairs, tentered and wrested from their genuine sense. "*Scis tu simulare cupressum, quid hoc*[y]*?*" It was not the drift or scope of my undertaking to answer old volumes of impertinencies. If he have any testi-

[t] [Just Vindic., c. vi. vol. i. p. 199.]
[u] [Surv., c. vi. sect. 6. p. 94.]
[x] [Canon. 1603, can. 30.]
[y] [Horat., A. P. 19, 20.]

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monies that are material, in the Name of God let him bring them into the lists; that the reader may see what they say, and be able to compare the evidence with the answer, and not imagine more than is true. Let him remember that I premonish him, that all his "innumerable testimonies" will advantage him nothing.

Whether our religion be the same with theirs or not, we are no schismatics.

Secondly, he would persuade us, that if it were so that our "Church, religion, and Holy Orders, were the same with theirs, then what need had we to go out of theirs for salvation?" then we are "convinced of schism[z]." Alas, poor men! what will become of us? Hold what we will, say what we can, still we are schismatics with them. If we say our Church, religion, and Holy Orders are the same with theirs, then we are schismatics for deserting them. If we say they are not the same, then we are schismatics for censuring and condemning them. But we appeal from the sentence of our adversary to the sentence of that great Judge Who 'judgeth righteous judgment.' We are either wheat or chaff, but neither their tongues nor their pens must winnow us. If we say our Church, religion, and Holy Orders be the same with theirs, we are no schismatics, because we do not censure them uncharitably. If we say they be not the same, we are still no schismatics, because we had then, by their own confession, just reason to separate from them. But to come up closer to his argument.—Religion is a virtue, which consisteth between two extremes, heresy in the defect, and superstition in the excess. Though their Church, religion, and Holy Orders be the same with ours, and free from all heretical defects, yet they may be and are subject to superstitious excesses. Their Church hath sundry blemishes; their religion is mixed with errors; and gross abuses have crept into their Holy Orders. From these superstitious errors and abuses we were obliged to separate ourselves, wherein they had first separated themselves from their predecessors. So, if there be schism in the case, it was schism in them to make the first separation, and virtue and piety in us to make the second.

[John vii. 24.]

I said most truly, that "our positive articles are those general truths about which there is no controversy; our negation is only of human controverted additions[a]."

[z] [Surv., c. vi. sect. 6. p. 94.] [a] [Just Vindic., c. vi. vol. i. pp. 199, 200.]

Justification by special faith no article of our Church.

Against this he excepts sundry ways,—

First, "because our principal positive article" is that of "Justification by special Faith," which (as he saith) "is most of all in controversy[b]."

Aquinas makes a great difference between "*opinari*" and "*credere*," between a scholastical opinion and a necessary
226 article of Faith. 'Sometimes the understanding doth fluctuate indifferently between the two parts of the contradiction; and this is properly doubting. Sometimes it inclineth more to the one part than to the other, yet not without some fear or suspicion of the truth of the other part; this is properly opinion. Sometimes the understanding is determined, so as to adhere perfectly to the one part: and this determination proceeds either from the intelligible object, mediately or immediately, and this makes knowledge; or from the will upon consideration of the authority and truth of the revealer, and this makes faith[c].' Justification by special faith was never accounted an article of the English Belief, either by the English Church, or by any genuine son of the English Church. If he trust not me, let him read over our Articles, and reading satisfy himself. I confess some particular persons in England did sometimes broach such a private opinion[d], but our most learned and judicious professors did dislike it altogether at that time, as I have heard from some of themselves. But shortly after it was in a manner generally rejected: as *Franciscus a Sanctâ Clarâ* ingenuously confesseth,—"*Et jam hic novus error vix natus apud nostrates sepultus est*[e]"—"and now this new error being scarcely born among our countrymen was buried;" and more plainly elsewhere,—"*Quibus omnibus bene pensatis, sane nulla hodie reperietur differentia in confessione Anglicâ et sanctissimâ definitione Tridentinâ*[f]"—"all which things being duly weighed, truly there will be found no difference at this day in the English

[b] [Surv., c. vi. sect. 6. p. 95.]

[c] [Quæst. Disputat., De Veritate,] Quæst. 14, "De Fide," Art. 1.

[d] [See above c. ii. sect. 7. pp. 87, 88. R. C.'s authorities (Surv. c. ii. sect. 7. p. 29, from his Auth. Protest., lib. i. c. 6. § 4.) are Whitaker, Controv. ii. Qu. 6. c. 3. p. 562 (Op. tom. i. Genev. 1610), and Ad Ration. I. Campian. (ibid. p. 7);—Humfrey, Conc. de Ferm. Vitand. p. 13;—Fulke, De Success. Eccles. p. 4.—Powell, Lib. de Anti-Christ., lib. ii. c. 5. (§ 1);—and Foxe, Acts and Mon. none of them to the point in the passages quoted.]

[e] ["Deus, Natura, et Gratia."] Probl. 22. [p. 163. Lugd. 1635.]

[f] [Ibid.,] Probl. 20. [p. 217.]

PART I. confession, and the sacred definition of the Tridentine Council," meaning about this subject of Justification.

But, saith he, "if they be not points of our Faith, what do they in our Confessions of Faith[g]?"

I answer, they are inserted into our Confessions, not as supplements of our Creed, or new articles, but as explanations of old articles, and refutations of their supposititious principles. Contraries, being placed together by one another, do make one another more apparent.

Our negatives no articles of Faith.

He proceedeth,—"Have not Protestants a positive faith of their negative articles, as well as of their positive articles[h]?"

Commandments may be either affirmative or negative: and the negative commandments bind more firmly than the affirmative; because the affirmative bind always, but not to the actual exercise of obedience at all times—*semper* but not *ad semper*; but negative commandments bind both *semper* and *ad semper*, both always and to all times. But we find no negatives in the rule of Faith; for the rule of Faith consists of such supernatural truths as are necessary to be known of every Christian, not only '*necessitate præcepti*'—because God hath commanded us to believe them, but also '*necessitate medii*'—because without the knowledge of them in some tolerable degree, according to the measure of our capacities, we cannot in an ordinary way attain to salvation. How can a negative be a means? '*Non entis nulla est efficacia.*' In the Apostles' Creed, from the beginning to the end, we find not the least negative particle; and if one or two negatives were added in the subsequent ages (as that, "begotten not made," in the Nicene Creed), they were added, not as new articles, but as explanations of the old, to meet with some emergent errors or difficulties; just as our negatives were.

Yea, though perhaps some of our negatives were revealed truths, and consequently were as necessary to be believed when they are known as affirmatives, yet they do not therefore become such necessary truths or articles of religion, as make up the rule of Faith. I suppose yet further, that, though some of our negatives can be deduced from the positive fundamental articles of the Creed, some evidently, some probably, as the necessity of the consequence is more

[g] [Surv., c. vi. sect. 6. p. 95.] [h] [Ibid.]

or less manifest—(for it is with consequences as it was with Philo's row of iron rings; the first that touched the load-stone did hang more firmly, the rest which were more remote still more loosely[j])—I say in such a case, that no man was bound to receive them, either as articles or as consequences, but only he that hath the light to see them, nor he further than the evidence doth invite him. And, howsoever, they are no new articles, but corollaries or deductions from the old.

So grossly is he mistaken on all sides, when he saith, that "Protestants" (he should say the English Church if he would speak to the purpose) "have a positive belief, that the Sacrament is not the Body of Christ[k];"—which were to contradict the words of Christ, "This is My Body." He knows better,—that Protestants do not deny the *thing*, but *their* 227 bold determination of the *manner* by Transubstantiation, themselves confessing that the manner is incomprehensible by human reason[l]. Neither do Protestants place it among the articles of the Faith, but the opinions of the schools[m].

SECTION THE SEVENTH.

An implicit submission to the Catholic Church sufficient to salvation.

He acknowledgeth, that "if I had a true 'preparation of mind to believe whatsoever the'" true "'real Catholic Church universally believeth and practiseth,' the matter were ended[n]." But he addeth, that "by the Catholic Church I mean an imaginary Church, or multitude of whatsoever Christians, Catholics, heretics, schismatics, who agree in fundamental points," but "disagree in other points of Faith, and wholly in communion of Sacraments, and ministry of them[o]."

I accept this offer, and I tie him to his word. If he stand to this ground, there are no more controversies between him and me for the future but this one, what is the true Catholic Church; whether the Church of Rome alone with all its

[j] [De Opif. Mundi, Op. tom. i. p. 34. Lond. 1742.]

[k] [Surv., c. vi. sect. 6. p. 96.]

[l] [Thom. Aquin., Summ., P. iii. Qu. 76. Art. 7. 'Respondeo;' quoted in the Answ. to La Millet. (vol. i. pp. 21, 22, note h), Disc. i. Pt. i.]

[m] [See Answ. to La Millet., ib. p. 8.]

[n] [Surv., c. vi. sect. 7. p. 97; from Just Vindic., c. vi. vol. i. p. 200.]

[o] [Surv., ibid., pp. 97, 98. For "ministry of them," read "government of the Church."]

PART I. dependents, or the Church of the whole world, Roman, Grecian, Armenian, Abyssene, Russian, Protestant, which after all their brags of amplitude and universality is three times greater than themselves. I desire no fairer issue between him and me. I do from my heart submit to all things, which the true Catholic Church diffused over the world doth believe and practise. And if I should err in my judgment what the Catholic Church is (as I am confident that he and his fellows do err), though I have no reason in the world to suspect my present judgment, I do furthermore profess my readiness to submit to the right Catholic Church, whensoever God shall be pleased to reveal it to me. This is sufficient to preserve me from being a schismatic; this is sufficient for the salvation of a Christian.

He telleth us indeed sometimes, that the Roman Church is the 'true Catholic Church,' and is 'diffused all over the world[p].' Let him take "Roman" in the largest sense he can, yet still it is but a particular Church of one denomination, not Catholic or universal. Whom have they of their communion in the large Abyssene empire, consisting of seventeen kingdoms? Not one. Whom have they of their communion in the Russian empire nearer home? Scarcely one. Whom have they of their communion in all the Eastern Churches? Perhaps two or three handfulls, in comparison of those innumerable multitudes of Christians, who are subject to the other Patriarchs.

Papists agree not what is their infallible proponent.

Before they were so forward and positive in voting for themselves, that they are the Catholic Church, that they are the infallible judge, it had been meet that they had first agreed among themselves what this Catholic Church is, to which every Christian is bound to submit: whether it be the 'virtual' Church, that is, the Pope, or the Pope jointly with his conclave of Cardinals, or the Pope with a provincial Council; or the Pope with a general Council, that is, the 'representative' Church; or a general Council without the Pope; or, lastly, the 'essential' Church, dispersed over the face of the world: for into so many opinions they are divided[q].

[p] [Ibid. c. ix. sect. 1. The words are taken from Cyril. Hieros., Catechet. xviii. § 23, Op. p. 296. A. Paris. 1720.]

[q] [See Protestants' Ordin. Defend. (p. 1020. fol. edit.), Disc. vii. Pt. iv.]

The name of Catholic [derived] from universal communion, not [from] right belief.

He addeth, that these great "multitudes of Christians," whereof we speak, are not united among themselves, but divided in "points of Faith, in communion of Sacraments, and the ministry of them[r]."

Let St. Austin answer him,—"*Acutum autem aliquid* [*tibi*] *videris dicere, cum Catholicæ nomen non ex totius orbis communione interpretaris, sed ex observatione præceptorum omnium Divinorum atque omnium Sacramentorum*[s]"—"Thou seemest to thyself to speak very wittily, when thou dost not interpret the Catholic Church by the communion of the whole world, but by the Catholic Faith, and the right observation of all the Sacraments,"—and true discipline, that is, in their sense, submission to the Roman Court. This last badge, which St. Austin did not know, is the only defect of those multitudes of Christians;—that they will not acknowledge the monarchical power of the Roman Bishop: as we have seen by experience, that when some few of these Eastern or Northern Christians have reconciled themselves to the See of Rome, and acknowledged the Papacy, they were straight adjudged orthodox and sound Christians in all other things[t]; and the latter of these did provide expressly for themselves at the time of their submission, that they would retain their Greekish religion and rites[t]. He himself in this very place confesseth them to "agree in fundamental points[u]," that is, to be free from fundamental errors; and for other lesser controversies, they have not half so many among them, as the Romanists among themselves.

More dangerous to exclude than to include others in our communion.

As to his marginal note out of Tertullian, that "*Hæretici* 228 *pacem cum omnibus miscent*"—"Heretics mingle themselves with all sects[x]," making it a symptom of heresy to be over easy in admitting others to their communion,—I do confess it is a fault indeed. But, first, what doth this concern the Church of England? Secondly, the greater fault lies on the other hand, to be over severe and over [r]igorous and censorious in casting out or holding others from their commu-

[r] [Surv., c. vi. sect. 7. p. 98. For "ministry of them," read as before, "government of the Church."]

[s] August., Epist. 48. [editt. before Bened.—93, Ad Vincentium, c. 7. § 23. tom. ii. p. 240. D.E. ed. Bened.]

[t] [See above c. ii. sect. 6. p. 85.]

[u] [Surv., c. vi. sect. 7. p. 98. See also] c. ii. sect. 6. [p. 27.]

[x] [Præscript. (adv. Hæret., c. 41. Op. p. 247. C.), quoted by R. C., Surv., c. vi. sect. 7. p. 97.]

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nion; and more dangerous to the Church of Christ. In this kind offended the Donatists, the Novatians, the Luciferians, of old, and the Romanists at this day. This hath more of the Patriarchal garb in it,—"Stand from me for I am holier than thou." [Isai. lxv. 5.]

CHAP. VII.

THAT ALL PRINCES AND REPUBLICS OF THE ROMAN COMMUNION DO IN EFFECT THE SAME THINGS WHICH KING HENRY DID.

[SECTION THE FIRST.]

The politic supremacy of princes in ecclesiastical causes.

We are come now unto his seventh chapter, wherein I am much beholden to him for easing me of the labour of replying. For—whereas I proved my intention at large by the acts, laws, and decrees of the emperors, with their Councils, and synods, and electoral college; by the laws of France, the Liberties of the Gallican Church, the Acts of their Parliaments, and Declarations of their Universities; by the practice of the king of Spain, his Councils, his Parliaments, in Sicily, in Castile, in Brabant and Flanders; by the "Sobs of Portugal," and their "Bleatings," and the Judgment of the University of Lisbon; by the laws and proclamations and other acts of the republic of Venice; throughout sixty-eight pages[y];—he vouchsafeth not to take notice of any one particular of all this, except only some few heads of what I urged concerning the emperors, which he reciteth in less than one page, and never attempts to answer one syllable of them in particular. Yet are these so diametrally opposite to the pretended rights of the Pope,—his legislative power, his convocating of synods, his confirming synods, his sending out Bulls, his receiving appeals, his patronage of Churches, his pardons and dispensations, his exemption from all human judgment, his sending of legates, his tenths and first-fruits, his superiority above general Councils, his excommunications, and in a word, his

[y] [Just Vindic., c. vii. vol. i. pp. 200—246 (pp. 160—228. ed. 1654. 12mo.).]

whole spiritual sovereignty,—that nothing can be more opposite. In these precedents we did clearly see that essential power and right of sovereignty, which I plead for in this book,—to make ecclesiastical laws for the external regiment of the Church, to dispose of ecclesiastical preferments, to reform ecclesiastical errors and abuses, to be the last judges of their own liberties and grievances, to restrain ecclesiastical tyranny, and to see that all ecclesiastical persons within their dominions do their duties. DISCOURSE III.

And if these instances were not enough, many more might be produced of the best Christian princes. Paul the Third writ to Charles the Fifth, that "the Decrees of Spira were dangerous to his soul;" commands him to "put away all disputes of religion from the Imperial Diet, and refer them to the Pope, to order nothing concerning ecclesiastical goods, to revoke the grants made unto the rebels against the see of Rome; otherwise he should be forced to use greater severity against him than he would[z]." Yet Cardinal de Monte was more angry than his master; saying, that "he would put his Holiness in mind rather to abandon the see and restore the keys to St. Peter, than suffer the secular power to arrogate authority to determine causes of religion[a]." The emperor did not trouble himself much at it: but, the Pope having created three Spanish Cardinals, he forbad them to accept the arms or use the name or habit[b]; and not long after published a "Reformation of the Clergy[c]," containing twenty-three points; first, of ordination and election of ministers; secondly, of the office of ecclesiastical orders; thirdly, of the office of Deans and Canons; fourthly, of canonical hours; fifthly, of monasteries; sixthly, of schools and Universities; seventhly, of hospitals; eighthly, of the office of a preacher; ninthly, of the administration of the Sacraments; tenthly, of the administration of Baptism; eleventhly, of the administration of Confirmation; twelfthly, of ceremonies; thirteenthly, of the Mass; fourteenthly, of the administration of

A.D. 1544. A.D. 1545. A.D. 1548.

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[z] [Pad. Paolo,] Hist. Concil. Trident., an. 1544. [lib. i. in fine, p. 83. ed. 1620.]

[a] [Id., ibid.,] an. 1545. [lib. ii. p. 94.]

[b] [Id., ibid., p. 86.]

[c] [Id., ibid.,] an. 1548. [lib. iii. p. 236. —Goldast., Constitut. Imperial., tom. ii. pp. 325, sq. The 12th and 13th points in Bramhall's account make but one chapter in the original.]

PART I. Penitence; fifteenthly, of the administration of Extreme Unction; sixteenthly, of the administration of Matrimony; seventeenthly, of ecclesiastical ceremonies; eighteenthly, of the discipline of the clergy and people; nineteenthly, of plurality of benefices; twentiethly, of the discipline of the people; one and twentiethly, of visitations; two and twentiethly, of Councils; three and twentiethly, of excommunication. Charles the Fifth and the German Diet did assume to themselves a legislative power in ecclesiastical causes. None of our princes was ever more devoted to Rome than Queen Mary; yet, when Paul the Fourth revoked Cardinal Pole's legantine power in England, and designed one Petus a Franciscan to come legate in his place, "she shut all the ports of England against all messengers from Rome, and commanded all the briefs" (and Bulls) "to be taken from the bearers, and delivered unto her[d]." So well was she satisfied, that no Roman legate hath any thing to do in England without the prince's licence.

[Father Peyto.]

But I have brought instances enough, until he be pleased to take notice of them.

To all which he returns no answer, but these general words;—"Seeing L. D. hath alleged divers facts of Catholic princes in disobeying Papal authority, and thence inferreth that they did as much as King Henry, who not only disobeyed but denied Papal authority, let us allege both more ancient and greater emperors, who have professed that they had no authority in ecclesiastical causes, and avowed Papal authority[e]."

After this rate he may survey the whole world in a few minutes. Let the reader judge, whether I have not just cause to call upon him for an answer. Are they only "divers facts of Catholic princes?" By his leave, they are both facts, and decrees, and constitutions, and laws, and canons, of the most famous emperors and princes of Christendom, with their Diets, and Parliaments, and synods, and

[d] [Dudithius' Translat. of Bacatelli's Life of Card. Pole, p. 35. Venet. 1563. See Strype, Eccl. Mem., vol. iii. Pt. ii. c. li. pp. 30—40; Collier, Ch. Hist., Pt. ii. bk. v. vol. ii. p. 399; and Phillips, Life of Pole, Pt. ii. sect. 11. pp. 184, &c.]

[e] [Surv., c. vii. sect. 3. pp. 105, 106. The words "ancient and greater" are not in the copy of the Survey in the Bodleian Library.]

Councils, and Universities. Or doth it seem to him that they only "disobeyed Papal authority?" When he reads them over more attentively, he will find that they have "not only disobeyed Papal authority" but "denied" it, as he saith Henry the Eighth did, in all the principal parts and branches of it, which are in controversy between them and us. Nay, they have not only denied to the Pope that which he calls Papal authority,—to convocate synods, to confirm synods, to make ecclesiastical laws, to dispose of ecclesiastical preferments, to receive the last appeals in ecclesiastical causes,—but they have exercised it themselves; they have disposed of the Papacy, they have deposed the Popes, they have shut out his legates, they have appealed from his sentences, they have not suffered their subjects to go upon his summons, they have caused his decrees to be torn in pieces most disgracefully, and made edicts and statutes and Pragmatical Sanctions against his usurpations; they have regulated the clergy and reformed the Churches within their dominions; and, when they thought fit, during their pleasures, they have stopped all intercourse with Rome[f]. The kings of Spain suffer no more appeals from Sicily to the Court of Rome than our princes from England, and exercise all manner of ecclesiastical jurisdiction by delegates[g]; which certainly neither they nor other princes would do, if they did at all believe, that the Papacy was an universal spiritual monarchy, instituted by Christ. DISCOURSE III.

But it seemeth that he delighteth more in the use of his sword than of his buckler; and instead of repelling my arguments, he busieth himself in making new knots for me to untie. He knows well, that this is no logical proceeding. And I might justly serve him with the same sauce. But I seek only the clear discovery of truth, and will pursue his steps throughout his oppositions.

The first thing that he objecteth to me, is "the Oath of Supremacy made by King Henry and his Church; . . . in which oath" (saith he) "are sworn five things; first, that the king of England is not only governor but only and supreme governor; secondly, not only in some but in all ec- The Oath of Supremacy justified.

[f] [See Just Vindic., c. vii. vol. i. pp. 200—246.]

[g] [Ibid., pp. 229, 230.]

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clesiastical things and causes; thirdly, as well in all ecclesiastical causes as temporal; fourthly, that no foreign prelate hath any spiritual jurisdiction . . . in England; fifthly, all foreign jurisdiction" is "renounced [h]." This he is pleased to call "the first new Creed of the English Protestant Church, by which" it "is become both heretical and schismatical [i]." 230

[1. Who contrived it.]

Before I give a distinct answer to this objection, it will be needful in the first place to put him in mind of some things which I have formerly demonstrated to him touching this particular, which he hath been pleased to pass by in silence. First, who it was that first presented this title to king Henry;—Archbishop Warham (whom Sanders calleth "an excellent man [j]") and a Popish Convocation [k]. Secondly, who confirmed this title unto him;—four and twenty Bishops and nine and twenty Abbots in Parliament, none dissenting [l]. There was not one Protestant among them all. Thirdly, who were the flatterers of King Henry, that preached up his supremacy, and printed books in defence of this supremacy, and set forth Catechisms to instruct the subjects and teach them what the supremacy was; who contrived and penned this very oath, and were the first that took it themselves, and incited all others to take it;—even Bishop Gardiner, Tonstall, Heath, Bonner, Stokesley, Thurleby, &c., all R. C. his friends, the greatest opposers of the Reformation, and the roughest persecutors of Protestants [m]. Lastly, consider what I cited out of Cardinal Pole,—that "God the Father hath assigned this office to Christian emperors, that they should act the part of Christ the Son of God [n];" and again, "The Pope as a priestly Head doth execute the office of Christ the true Head, but we may also truly say, that the emperor doth execute the Office of Christ as a kingly Head [o]."

[h] [Surv., c. vii. sect. 1. pp. 100, 101. "Not only chief governor" is the expression in the Survey.]

[i] [Ibid., pp. 101, 102.]

[j] Sander., De Schism., p. 57. [ed. 1585.—lib. i. p. 75. ed. 1610.]

[k] [See Just Vindic., c. iii. vol. i. pp. 114. note t, 120. note u; and] Sander., De Schism., p. 59. [ed. 1585.—lib. i. pp. 80, 81. ed. 1610.]—Hall, [Chron.,] in 22 Hen. VIII. an. [1531. fol. 195.]

[l] [See Just Vindic., ibid. p. 114. note u.]

[m] [Ibid., pp. 120—122. notes u to e.]

[n] Pol., De Concil., Resp. ad Quæst. 74. [p. 527. Lovan. 1567; quoted in Just Vindic., c. iii. vol. i. p. 115. note z.]

[o] [Id., ibid., Respons. ad Quæst. 75. [ibid.; quoted in Just Vindic., ibid. pp. 115, 116. note a.]

These things being premised to dull the edge of his argument, now I proceed to a direct answer. And,

[2. In what sense we maintain it.]

First, I charge him with chopping and changing the words of the oath. The words of the oath are these, that "the King's Highness is the only supreme governor in this realm;" but, in paraphrasing upon them and pressing them, he renders them thus, "not only governor[p] but only and supreme governor." There is a vast difference between these two; to say the king is "the only supreme governor" of the realm of England, which signifies no more but this, that there is no other supreme governor of the realm but he, which is most true; and to say that he is the "only and supreme governor," which implies that there is no other governor but he, which is most false; there are both spiritual and civil governors in England besides him. To say the Pope is 'the only supreme' Bishop in his own Patriarchate, is most true; but to say that he is 'the only and supreme' Bishop in his Patriarchate, is most false; this were to degrade all his suffragans, and allow no Bishop in his province but himself.

Secondly, I answer, that there is no supremacy ascribed to the king in this oath but merely political; which is essentially annexed to the imperial Crown of every sovereign prince. The oath saith, that "the King's Highness is the only supreme governor of his Highness' realms and dominions." What doth St. Peter himself say less to his own successors as well as others? "Submit yourselves to every ordinance of man for the Lord's sake, whether it be to the king as supreme." How often doth St. Gregory acknowledge the emperor to be his supreme governor or sovereign lord? and profess obedience and subjection unto him? and execute his commands in ecclesiastical things[q]? That commonwealth is miserable and subject to the clashing of jurisdictions, where there are two supremes; like a serpent with two heads, at either end one.

1 Pet. ii. 13.

The oath addeth, "In all spiritual or ecclesiastical things or causes." This is true with some limitations: as, first, either by himself, or by fit substitutes, who are ecclesiastical persons; for our kings cannot excommunicate or absolve in

[p] ["Not only chief governor."] 176. note p.]

[q] [See Just Vindic., c. vi. vol. i. p.

PART I. their own persons: secondly, it is to be understood of those causes which are handled '*in foro contentioso*'—in the exterior court, not in the inner court of conscience: thirdly, either in the first or in the second instance, by receiving the appeals and redressing the wrongs of his injured subjects. Some things are so purely spiritual, that kings have nothing to do in them in their own persons; as the preaching of the Word, the administration of the Sacraments, and the binding and loosing of sinners. Yet the persons to whom the discharge of these duties doth belong, and the persons towards whom these duties ought to be discharged, being their subjects, they have a power paramount to see that each of them do their duties in their several stations. The causes indeed are ecclesiastical, but the power of governing is political. This is the true sense of the oath, neither more nor less, as appeareth plainly by our thirty-seventh Article;—"Where we attribute to our princes the chief government, by which 231
titles we understand the minds of some slanderous folks to be offended, we give not to our princes the ministering either of God's Word or of the Sacraments, ... but that only prerogative which we see to have been given always to all godly princes in Holy Scriptures by God Himself; this is, that they should rule all estates and degrees committed to their charge by God, whether they be ecclesiastical or temporal, and restrain with the civil sword the stubborn or evil doers[r]." Here is no power asserted, no punishment to be inflicted by the king in his own person, but only political. I confess, persons deputed and delegated by the king do often excommunicate and absolve, and act by the power of the Keys; but this is by the virtue of their own habit of jurisdiction. All which the king contributes by his commission, is a liberty and power to act in this particular case, and an application of the matter; which a lay-patron, or a master of a family, or a subordinate magistrate may do, much more a sovereign prince. This power many Roman Catholic doctors do justify. The king of Spain cites above twenty of them[s]. "Let the princes of this world know, that they owe an account to God of the Church, which they

[r] Artic. Eccles. Angl., art. 37.
[s] Memor. de Sa Magestad Catolica, [Philip IV.], cap. 10. [See Just Vindic., c. vii. vol. i. p. 235.]

have received from Him into their protection; for whether peace and right ecclesiastical discipline be increased or decayed by Christian princes, God will require an account from them, Who hath trusted His Church unto their power[t]." All this power the king of Spain exerciseth in Sicily, in all ecclesiastical causes, over all ecclesiastical persons, as well in the first instance as the second[u]. This power a lay-chancellor exerciseth in the court Christian. This power a very Abbess exerciseth in the Roman Church over her nuns. Whilst all the mariners are busied in their several employments, the sovereign magistrate sits at the stern to command all, and order all for the promotion of the great architectonical end, that is, the safety and welfare of the commonwealth.

It follows in the oath, "as well as temporal;" that is, as truly, and as justly, but not as fully, nor as absolutely.

"And that no foreign prelate hath or ought to have any jurisdiction or authority ecclesiastical or spiritual within this realm." That is to say, neither the Pope nor his Court: for a general Council, which is no standing court but an aggregate body, composed partly of ourselves, is neither included here nor intended.

If this be "the new Creed of the English Protestant Church," as he calls it in scorn, it was the old Creed of the Britannic Church, as I have proved evidently in the Vindication. If this profession of royal supremacy in our sense do 'make men heretics and schismatics,' we shall sweep away the most part of the Roman doctors along with us; and for sovereign princes, we shall leave them few, except some necessitous persons, who could not subsist otherwise than by the favourable influence of the Roman Court. 'Very many doctors do hold, that, for the common good of the republic, princes have jurisdiction in many causes otherwise subject to the ecclesiastical court, not only by the positive law of God, but by the law of nature[x].' And many more give them a power indirectly in causes ecclesiastical over ecclesiastical

[t] [Ibid. See Just Vindic., ibid. pp. 233, 234.]

[u] [See Just Vindic., ibid. pp. 228, 229.]

[x] [Franciscus] a Sanctâ Clarâ, Expos. Paraph., in Art. 37. [p. 409. See Just Vindic., c. iii. vol. i. p. 125.]

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persons, so far as is necessary for the preservation of the peace and tranquillity of the commonwealth: "*nec putem ullum doctorem Catholicum refragari,*" saith the same author in the place cited,—"neither do I think that any Catholic doctor will be against it[y]."

Now I have said my mind concerning the oath of allegiance,—who they were that first contrived it, and in what sense we do maintain it; I hope agreeably to the sense of the Christian world, except such as are prepossessed with prejudice for the Court of Rome. As our kings out of reverence to Christ did freely lay by the title of "Supreme Heads of the English Church," so, though it be not meet for me to prevent their maturer determinations, I should not be displeased if out of a tender consideration of the consciences of subjects, who may err out of invincible ignorance, they would be pleased to lay by the oath also. God looks upon His creatures with all their prejudices; why should not man do the same? It seemeth to be hard measure to destroy men for mere speculative opinions, which it may be are not in their own power, so long as there is neither blasphemy nor sedition in the case. It is often easier to secure a man's actions, than to cure the errors of his judgment.

SECTION THE SECOND.

No contradiction in my words.

In the next place he chargeth me with 'contradicting of myself[z],' because I say, "the emperors and other princes of the Roman communion have done the same things in effect 232 with the king of England[a];" and in another place I confess, that the kings of England have "abolished the jurisdiction of the Bishop of Rome," but 'the emperors have not[b].' This, he saith, is 'to give myself the lie[c].'

Certainly he was in some heat or passion, when this word of disgrace dropped from his pen; as commonly disputers

[y] [Id.,] ibid., [p. 410.]
[z] [Surv., c. vii. sect. 2. p. 103.]
[a] [Just Vindic., c. vii. title, vol. i. p. 200.]
[b] [Ibid., p. 217.]
[c] [This expression is not to be found in the copy of the Survey in the Bodleian Library; where R. C. only says, that Bramhall's assertion is "manifestly untrue" (p. 100).]

are, when they find that they have gotten the wrong end of the staff. If he had advisedly read over my assertion, it is this, that *either* they have done "the same thing in effect, . . or *at least*" have "pleaded for it." If either part of the disjunction be true, my assertion is a truth, and no "contradiction;" much less a 'lie,' which implieth that it is both against truth and against conscience. Now I have shewed clearly in the Vindication, that they have not only "pleaded" it, but sworn it,—that they would 'maintain the rights, liberties, and customs of the Empire inviolated,' against the Pope and the Court of Rome[d];—and that they have protested, that "they would not have his Holiness to be ignorant that they neither could nor would endure his intolerable pressures any longer," but would vindicate themselves[e].

Further, to "do the same thing in effect" doth not signify to do the same individual action, nor always the same specifical action, but only that which argueth the same power, or implieth the same consequences. If an ordinary do suspend a clerk from his benefice, or degrade him from his Holy Orders, so long as the question is only whether he be under jurisdiction of the ordinary, it is all one "in effect," whilst the one proveth the intention as well as the other. If a thief steal a shilling or a pound, it is not "the same thing in effect;" because the thief pretendeth no right to what he taketh; but if a magistrate impose a tribute of a shilling or a pound, where the question is only whether he have power to impose tribute or not, it is all one "in effect;" for his title is as just to the one as to the other, and as he imposeth a shilling to-day, so he may, if he have occasion, impose a pound to-morrow. The whole and all the parts are "the same in effect." The emperors have done all the particular acts which the kings of England have done—concerning patronage, investitures, legislation, reformation, legates, appeals, tenths, first-fruits, &c.,—and moreover have deposed Popes, which the kings of England never attempted to do; though they have not made one general act of abolition.

[d] [Letter of the Elector. College, &c., to Benedict XII. A.D. 1338. See Just Vindic., c. vii. § 2. vol. i. p. 212. See also § 7. ibid. p. 216.]

[e] [Centum Gravamina, &c. (A. D. 1522), in conclus. See Just Vindic., ibid., p. 211.]

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Why is not this "the same in effect?" He that satisfieth a debt in pistoles, and he who satisfieth it in cracked groats, do both "the same thing in effect." To conclude,—they, who assume the right to be the last judges of their own liberties and privileges in all differences between them and the Court of Rome, "do the same thing in effect," whether the respective privileges of the one or the other be more or less: but the emperors and the kings of England did assume to themselves the right to be the last judges of their own liberties and privileges in all differences between them and the Court of Rome: and, therefore, though the one might take (or *mis*take) himself to be within the old Roman Patriarchate, which the other was not, or whatsoever other differences there might be in the extent of their liberties or in their claims, yet they did "the same thing in effect." The only difference between the emperors and Henry the Eighth is this, that they denied the Papacy in parcels, and he denied it in gross. They denied his sovereign legislative power, they denied his patronage of Churches, they denied his investitures of Bishops, they denied his superiority above general Councils, they denied his tenths, and first-fruits, and pardons, and indulgences, and dispensations. So they pulled away his stolen feathers one by one, and Henry the Eighth uncased him all at once; but except some Patriarchal rites (which Britain never acknowledged, which are no parts of the Papacy), they left him as naked the one as the other. This I might well call "the same thing in effect."

SECTION THE THIRD.

[R. C.'s witnesses to Papal authority.]

Now are we come to take a view of his witnesses, to try if he be more fortunate in offending than he is in defending. But truly they are such, that their very names and their well known acts do sufficiently confute all his evidence.

1. Constantine [the Great].

1. The first is "Constantine the Great," who "professed openly 'that he could not judge of Bishops[f].'"

[f] [Surv., c. vii. sect. 3. p. 106; as from] Ruffinus, [Hist. Eccl.,] lib. [x.] c. 2.

No such thing. He said only, that "they could not be judged of all men[g]." When all men have imperial power, his argument will have more force in it, but nothing to his purpose. The only question between us is about the Papacy, and his proof makes only for the privileges of Episcopacy. Whatsoever Constantine did at this time, was a mere prudential act. He had convocated the Bishops together against Arius; and instead of endeavouring to suppress the common enemy, they fell into quarrels and mutual complaints one against another, about businesses of no moment. Constantine seeing, "*quod per hujusmodi jurgia causa summi negotii frustraretur*[h]"—"that the main business" against Arius "was hindered by these unreasonable brawlings," and, "*ne innotesceret ulli hominum*," &c., to prevent scandal, "that the faults and contentions of priests might not appear to the world[h]," he suppressed them, and referred them to the "judgment of God[h]." This was a more prudent course, and more conducible at that time to the advantage of Christian religion, than to have examined every scandalous accusation of one against another. Yet even in this there appeareth sufficient proof of Constantine's judiciary power over the Bishops. First, they did all offer their mutual accusations one of another to him, as to their proper judge; secondly, he commanded them all to put their accusations in writing, and to deliver them to his hands; thirdly, he bound them all up in a bundle and sealed them; fourthly, he made them friends, and then burned them in their presence, and imposed upon them a perpetual amnesty or law of forgetfulness[i]. All these were judiciary acts. It is true, Constantine honoured Bishops very much; he made them his companions in his voyages, his fellow-commoners at his table[k]; he cast his cloak over their faults[k]. But this was not for want of judiciary power over them, but because "they were consecrated to God," and "he believed that in thus doing God would become propitious to him[l]." But at other times,—the case is as clear as the sun,—"he prescribed

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[g] [Ruffin., ibid.]
[h] [Id., ibid.]
[i] Theodorit., [Hist. Eccl.,] lib. i. c. 11.
[k] Euseb., De Vitâ Constantini, [lib. i. cc. 42, 44, 45. lib. iii. c. 15. ed. Vales.]
[l] [Id., ibid.,] lib. i. c. 35. [according to Christophorson's translation,—42. ed. Vales. See also lib. iii. c. 15.]

PART I.

to the Bishops those things which did pertain to the profit of the Churches[m]." He referred the cause of Cæcilianus (an ecclesiastical cause) to Miltiades Bishop of Rome, and Marcus and Rheticius and Maternus and Marinus, as his delegates or commissioners; "*visum est mihi*[n]"—"it hath seemed good to me," &c. He accepted appeals from the judgment of the Bishops[o]. He commanded Cæcilianus to repair to Anulinus the Proconsul, and Patritius Vicar of the Prefects, as deputed and authorized by him as judges to do justice upon ecclesiastical delinquents[p]. He sent for the Bishops, assembled by his commandment at a Council, first at Tyrus, then at Hierusalem, that they should "repair with speed" to Constantinople—"*è vestigio ad castra nostra maturetis*," to give an account to him of their actions and to shew how sincerely they had behaved themselves in their judgments[q]. In a word, he meddled so much in ecclesiastical affairs, that he made himself "as a common Bishop constituted by God[r]." I will conclude with his own profession in an Epistle to the Nicomedians;—"If we have chaste and orthodox Bishops and endowed with humanity, we rejoice; but if any one shall audaciously and unadvisedly be vehemently affected to the memory and praise of those pests" (Eusebius and other Bishops), "he shall straight be repressed by my execution as the minister of God[s]"—and accordingly they were "spoiled of their dignities, and cast out of the cities[t]."

2. Valentinian [the Third.]

2. His second witness is "Valentinian in an Epistle to Theodosius[u]:" but which Valentinian, which Theodosius, where this "Epistle" is to be found, he is silent; and leaveth us, if it were worth the labour, to seek for a needle in a bottle of hay[x]. But the truth is, there is nothing in it

[m] Idem, [ibid.,] lib. iii. c. 23. [accord. to Christophorson,—24. ed. Vales.]

[n] Idem, Hist. [Eccl.,] lib. x. c. 5. [accord. to Christophorson.]

[o] August., Epist. 162. [editt. before Bened.—43, Ad Glorium, Eleusium, &c., c. ii. § 4. tom. ii. p. 90. B. C. ed. Bened.]

[p] Euseb., Hist. [Eccl.,] lib. x. c. 6.

[q] Socrat., [Hist. Eccl.,] lib. i. c. 22. —Sozom., [Hist. Eccl.,] lib. ii. c. 27. [accord. to Christophorson's translat.]

[r] Euseb., De Vitâ Constantini, lib. i. c. 37. [accord. to Christophorson,—44. ed. Vales.]

[s] Theodorit., [Hist. Eccl.,] lib. i. c. 19. [20. accord. to both Christophorson's translation and Valesius.]

[t] [Id., ibid.]

[u] [Surv., c. vii. sect. 3. p. 106.]

[x] ["The place is in Concil. Chalcedon, P. i. num. 25. (ap. Labb., Concil., tom. iv. p. 52. E.),—from the third Valentinian to the younger Theodosius. The Bishop answereth the force of this testimony; though, being (as he elsewhere complains) destitute of books, he could not find it." Note by

which concerneth this question, nothing which we deny. The words, as they be alleged by him, are these; "All antiquity hath given the principality of priesthood over all to the Bishop of the city of Rome[y]." Our question is concerning the political principality of kings and emperors, and his answer is concerning "the principality of priesthood." Let them retain their "principality of priesthood," so they leave to sovereign princes their just principality of power. We are ready to give them a "principality of priesthood," if that would content them. And neither "all antiquity" nor any antiquity did ever give them a principality of power; or at least such a supremacy of single, sovereign, monarchical power, as they require, about which our controversy now is. A Lord Chief Justice hath a principality of order among his brother judges of the same Coif and Bench, and in some circumstantial respects a kind of eminency or principality of power, but no single supremacy, so as to be able to cross their votes with a *non-obstante*. Such a supremacy of sovereign, single, universal power of priesthood the Church of God did never know, either at Rome or elsewhere. The Bishops of Rome were so far from having power over general
234 Councils, that they had no single power over their fellow-patriarchs; so far from having power over emperors, that they have been delegated by emperors as their commissioners in ecclesiastical causes, have been convened before emperors, and deposed by emperors. Primitive Bishops use to style Popes their "brethren," their "colleagues," their "fellows," but never ecclesiastical princes. If he mean the second Valentinian, his authority weighs nothing; he was a young novice, misled by his Arian mother, a wilful ill-advised woman[z]. If he mean another Valentinian, I shall shew him that he exercised this political supremacy in ecclesiastical affairs, it may be to the questioning of his 'Prince of Priests[a].'

Discourse III.

3. His third witness is "Theodosius the younger, in his Epistle to the Synod of Ephesus;" his words are these, "It

3. Theodosius [the younger].

Editor of folio edition. The words are accurately cited.]

[y] [Surv., c. vii. sect. 3. p. 106.]

[z] [See Tillemont, Mém. Eccl., S. Ambroise, art. 38, &c.]

[a] [See below, pp. 229, 230.]

PART I. is not lawful for him that is not a Bishop, to meddle with ecclesiastical matters[b]."

Yet he did meddle with ecclesiastical matters. This is that Theodosius that 'argued with the Bishops upon the Holy Scriptures, as if he himself had been a Bishop[c].' This is that Theodosius which made this following law, "We decree that who follow the ungodly Faith of Nestorius, or obey his wicked doctrine, if they be Bishops, be cast out of the holy Churches; but if laymen, anathematized[d]." This is that Theodosius that convocated the general Council of Ephesus by his authority royal, and sent Candidianus thither to be his deputy, among other things "*ut diligenter inspiceret*," &c.—"to look diligently to the behaviours of the Bishops, to see that no dissensions did arise among them, to disturb the consultations of synods[e];" and to repress them likewise; otherwise he might as well have staid at home. Among the instructions of Theodosius given to Candidianus are the words alleged, "*Candidianum ad hanc sacram synodum abire jussimus, sed eâ lege*," &c.—"We command Candidianus to go to this holy synod, but upon this condition, that he should have nothing to do with questions and controversies which concern doctrines of faith, for it is unlawful for one not registered in the catalogue of Bishops, to thrust himself into ecclesiastical affairs and consultations[f]." This is as much as to say, that Candidianus was not sent by the emperor to dispute in the Council about theological questions, which it is probable he did not understanding[g], nor to overawe the Bishops or controul their votes. We are of the same mind with Theodosius, and say as much as he, that it is not fit for every man promiscuously to dispute of theological questions: and though we give the sovereign regiment of the Church in some sense to princes within their own dominions, yet we would not have them to govern it upon their own heads, but upon mature advice of free synods of ecclesiastical persons, who are their proper counsellors in Church affairs. All men know that Candidianus could have

[b] [Surv., c. vii. sect. 3. p. 106. See the Epistle in Labb., Concil., tom. ii. pp. 442, &c.]
[c] Socrat., [Hist. Eccl.,] lib. vii. c. 22.
[d] Evagr., [Hist. Eccl.,] lib. [i. c.] 12.
[e] [Epist. Theodosii, as before quoted, p. 443. A.]
[f] [Ibid., pp. 442. E, 443. A.]
[g] [? "understand."]

no decisive voice in a general Council. So we would not have princes meddle with the Keys of the Church, either the Key of knowledge, or the Key of order. We confess, that some causes in the first instance belong properly to Bishops; yet the last appeal may be to the king. We say there are many things which kings cannot do in their own persons, and yet may be done by fit delegates by their royal authority.

4. His fourth witness is "Valentinian the elder:"—"It is not lawful for me, who am of the people, to search curiously such matters; let priests, who have care of these things, meet where they please[h]." 4. Valentinian the elder.

The case was this. Valentinian had associated his brother Valens with him in the empire. Valens was an Arian, Valentinian an orthodox Christian; yet "so as he troubled not those who were of a contrary opinion[i]." He being at this time in his voyage "through Thracia towards Rome," the orthodox Bishops "about the Hellespont, and in Bithynia," sent their deputies unto him, to request him to give them leave to assemble together in Council, for the establishment of the right Faith[k]; wherein they acknowledged him the political Head of the Church. It was concerning the Consubstantiality of the Son with the Father,—in so sublime a question, concerning the Consubstantiality of the Son with the Father. In this exigence of affairs,—being in his voyage, in the presence of his brother and fellow emperor[l], who was an Arian and a great persecutor of all those who held the Consubstantiality of the Son with the Father, whose subjects these Bishops were, as they found to their cost presently after his return from accompanying of his brother some part of his way[m],—what more prudent or more plausible answer could so moderate a prince have
235 given, than that he did give? Though we give to sovereign princes within their own dominions a legislative power in ecclesiastical causes, yet not without good advice, especially in such high points of Faith as that was: and who are more fit counsellors for princes in such cases than synods and Bishops? The same method is observed by us at this day.

[h] [Surv., c. vii. sect. 3. p. 106; from] Sozom., [(Hist. Eccl.,)] lib. vi. c. 7.

[i] Sozom., [ibid.,] lib. vi. c. 6.

[k] [Id., ibid. c. 7.]

[l] [Id., ibid.]

[m] [Id., ibid. in fin.]

PART I. The synod contrives fit articles and canons, and the king confirms them and makes them laws. But did Valentinian nothing himself in such cases, but leave all to priests? No, he himself confirmed the Consubstantiality of the Son with the Father,—"*Quam etiam nostra Celsitudo passim prædicari mandavit*"—"Which our Highness hath commanded to be preached every where[n]." This very Valentinian was one of the authors of that famous law to repress the covetousness of the clergy, which St. Ambrose and St. Hierome do so much complain of, not against the emperors who made the law, but against the clergy who deserved it[o]. In the Code we find ecclesiastical laws made by this very Valentinian; as that to Florianus, that a 'Bishop rebaptizing one who had been formerly baptized, out of ignorance of the law, should be deprived of his Bishopric[p].' It was this very Valentinian of whom Theodorit speaketh, that "*in occidentem profectus,*" *&c.*—"going into the west he furnished that region with excellent laws, and did begin with the preaching of true piety[q]." He convocated the Bishops, and commanded them in the place of Auxentius, an Arian, to choose an orthodox Bishop for the See of Milan, and after some debates they did choose St. Ambrose. Some may say,—if it was his right, why did he not choose him himself? I answer, that the synod of Bishops did desire him to choose one, as knowing his right; and when St. Ambrose was chosen and refused for a time, "*jubet Ambrosium extemplo et initiari mysteriis, et Episcopum ordinari,*"—the emperor "commanded him forthwith to be initiated in the holy mysteries, and to be ordained Bishop[r]." Neither was this the case of Constantine, or Theodosius, or Valentinian, alone; Socrates writes more generally, that 'from Constantine's time, when the emperors became Christians, ecclesiastical affairs seemed to depend upon their beck[s].'

[n] Theodorit., [Hist. Eccl.,] lib. iv. cc. 7. et 8.

[o] [See Just Vindic., c. iv. vol. i. pp. 141, 142. note u.]

[p] Cod. [The law intended seems to be that of Valent. and Valens to *Julianus*, (Cod. Theodos., lib. xvi. tit. vi. l. 1. tom. vi. p. 193. ed. Gothofred.); but if so, it is inaccurately quoted.]

[q] [Theodorit., Hist. Eccl., lib. iv. c. 5. in Christophorson's translat.—6. ed. Vales.]

[r] Theodorit., [ibid.,] lib. iv. c. [6. accord. to Christophorson's translation, —7. ed. Vales.]

[s] [Socrat., Hist. Eccl.,] in Procemio lib. v.

5. His fifth witness is Basilius. "Basilius, emperor, in the seventh Synod, speaketh thus to the laity[t]." DISCOURSE III. 5. Basilius.

He is mistaken; Basilius was no emperor in the time of the seventh Synod[u], but Constantine and Irene; but it is true, that in the time of the eighth Synod Basilius was emperor, A. D. 869. and made a speech to the laity. The case is this. One Bardas a patrician and Michael the former emperor, by their unseasonable and preposterous intermeddling in ecclesiastical businesses, had brought the Oriental Church into great dangers; whereupon Basilius then emperor useth these words,—"*Nullo modo nobis licet,*" &c.—"It is no way lawful for us" (laymen) "to move speech of ecclesiastical causes, nor at all to resist the whole Church, and oppose an universal Synod;..for the searching and inquisition into these things belongs to Patriarchs, Bishops, and priests[x]." Basilius was in the right. It is not lawful for laymen to treat of ecclesiastical causes in general Councils as Bishops do; that is to say, to have decisive voices, or to meddle above their capacities; much less ought they frowardly to oppose general Councils, or to vie reason for reason with them. The Bishop's form of subscription was this, "*Ego B. definiens subscripsi*"—"I. B. have subscribed to this as my definition." The layman's form was this,—"*Ego L. consentiens subscripsi*"—"I. L. have subscribed to this as giving my consent to it." There is a great difference between "defining" and "consenting." But as kings are never minors, because they are presumed to have a wise council, so they are never to be considered as ignorant laymen, who have a learned council of ecclesiastical persons to direct them. All this while he troubles himself, to no purpose, about the deliberative part; but meddleth not at all with the authoritative part, which only is in question between us. Sovereign princes by their royal authority have power to incorporate the decrees of Councils into the laws of the land, and to subject the violators of them to civil punishments.

6. His sixth witness is Charles the Great. "Charles the Great in Crantzius professeth, 'that he gave the Church of Breme to St. Wilihade by command of the high Bishop and 6. Charles the Great.

[t] [Surv., c. vii. sect. 3. p. 106.]
[u] [Viz. Concil. Nicæn. II., A. D. 787.]
[x] [Concil. Constantinop. IV. (Œcumen. VIII.) Act. x. (A. D. 870), ap. Labb., Concil., tom. viii. p. 1154. C.]

PART I. universal Pope Adrian,' &c.; by which words we see by whose authority he meddled in spiritual matters[y]."

It is a great degree of confidence to dare to cite Charles the Great, to prove that it is not lawful for sovereign princes to meddle in ecclesiastical affairs: to cite him, who convocated councils yearly by his own authority, and reformed the Church[z];—who sate himself in synods, not only as a hearer but as a judge, that is, with the advice of his ecclesiastical 236
council ("*Auditor et arbiter adfui*[a]); and made ecclesiastical decrees in his own name ("*Discernimus et Deo donante decrevimus*[b]):"—who made himself judge of the Popes themselves;—who disposed by his own authority not only of the Bishopric of Breme, which was then a place but newly conquered by himself and newly converted, but of all the Bishoprics throughout the empire, not excepting the Bishopric of Rome itself;—to whom this very Pope Adrian, whom he citeth, with the clergy and people of Rome, did solemnly resign, release, and acquit for ever, all their claim, right, and interest in the election of succeeding Popes[c]. The case cited was this. St. Wilihade was an Englishman sent by the English king and Bishops to convert those countries to the Christian Faith. Charles the Great, who had newly conquered those parts, and desired much their conversion, finding the great merits of this Wilihade, "*remunerare se digno constituit Episcopatu*"—"he resolved to bestow a good Bishopric upon him; and therefore he called him forth and commanded him to be consecrated Bishop of Breme[d]." The case is as clear in the history as the noon day. Charles the Great founded and erected Bishoprics at his pleasure—"*Episcopalem constituimus cathedram*[e]," and gave them such privileges as he thought fit—"*Extat privilegium eidem ecclesiæ a memorato rege collatum*[f]." He endowed the churches, and commanded the inhabitants to pay their tithes and other duties to them, "*hoc nostro Majestatis præcepto*[g]." That was not by the "authority of Pope Adrian." All the poor

[y] [Surv., c. vii. sect. 3. pp. 106, 107. from] Albert. Crantz., Metropol. lib. i. c. 7.
[z] [See Just] Vindic., c. vii. [vol. i.] p. [206. note s.]
[a] [Ibid., p. 205. note q. "Auditor et arbiter *adsedi*."]
[b] [Ibid.; "*De*cernimus" &c.]
[c] [Ibid., p. 213. note d.]
[d] [Crantz., as before quoted.]
[e] [Id., ibid.]
[f] [Id., ibid.]
[g] [Id., ibid.]

pretence which he catcheth from hence, is, that Charles the Great said, that "*summi Pontificis et universalis Episcopi Adriani præcepto*"—"by the precept of the chief and universal Bishop Adrian[h]," he had bestowed this Bishopric upon Wilihade. Yet all men know, that "*præceptum*" signifies a lesson, or instruction, or advice, as well as a command. At the most it was but a compliment, or command of courtesy, or a ghostly advice, honoured with that name, which is familiarly done. True patrons do dispose their churches themselves, not give mandates to others to dispose them for them. It were ridiculous to imagine, that Charles the Great was the patron of the Bishopric of Rome itself (as without doubt he was), and that he was not the patron of the Church of Breme which he had newly conquered, or that Adrian who resigned Rome should continue patron of Breme. Discourse III.

7. His seventh witness is Justinian to Pope John the Second, "We suffer not any thing which belongs to the state of Churches . . not to be known to your Holiness, who is the head of all holy Churches[i]." 7. Justinian.

I wish he had been pleased to set down the title of the letter, "*Victor Justinianus, pius, felix, inclytus, triumphator, semper Augustus, Joanni Sanctissimo Archiepiscopo almæ Urbis Romæ, et Patriarchæ*[k]." Where Archbishop and Patriarch are his highest titles, there is no monarchy intended. The words are rightly cited, saving that he omitteth a clause in the middle—"although that which is changed be manifest and undoubted[l]," and a dangerous reason at the end—"for in all things, as it is said, we hasten to augment the honour and authority of your see[l]." If the Papacy had been a spiritual monarchy instituted by Christ, it did not lie in Justinian's power to augment it. But it is plain the honour and authority of the Roman see proceeded from the bounty of Christian emperors, and the decrees of the Fathers. Neither is there any thing in the words above mentioned worthy of a reply. Suppose Justinian made known his own ecclesiastical ordinances to the Pope, to the end that he might obey them and

[h] [Id., ibid.]
[i] [Surv., c. vii. sect. 3. p. 107; quoting the] Epist. ad Joann. II. in Codice [Justinian., lib. i. tit. i. c. 7.]
[k] [Ibid.]
[l] [Ibid.]

PART I

execute them; this is no great matter. So doth a sovereign prince to every governor of an inferior corporation. Laws are no laws until they be promulged. If the Pope had made the laws and made them known to the emperor, it had been more to his purpose. But all the strength of his argument lies in these words, "Who is Head of all holy Churches." And yet he cannot choose but know, that Justinian doth mean and must of necessity mean a Head of order, and cannot possibly mean a Head of power and jurisdiction, having himself exalted several other Churches, as Justiniana and Carthage, to an equal degree of power and privileges with Rome itself. A man may see to what straits he is driven, when he is forced to produce such witnesses as Charles the Great and Justinian; I say Justinian, who banished Pope Silverius [m]—who created Justiniana Prima and Carthage new Patriarchates by his imperial power [n]—who made so many laws concerning ecclesiastical persons, and benefices, and Holy Orders, and appeals, and the patronage of churches, 237 concerning religion, the Creed, Sacraments, heresy, schism, sanctuaries, simony, and all matters of ecclesiastical cognizance, that if all other precedents ancient and modern were lost, Justinian's alone, who was the father of the Imperial law, were sufficient to evince the political supremacy of sovereign princes over the Church within their own dominions.

8. [Edgar, Withred, and Edward III.]

8. His three last witnesses are King Edgar, King Withred, and Edward the Third [o]. But these three have been produced by him before in this very treatise [p], and there fully answered; and seeing no new weight is added in this place to his former discourse, I will not weary the reader or myself with unnecessary repetitions.

[m] [Platin., in Vitâ Sylverii, pp. 70, 2. 71, 1.]

[n] [See above p. 184. notes m, n.]

[o] [Surv. c. vii. sect. 3. pp. 107—109.]

[p] [c. iv. sect. 1. p. 59. Vide] supra c. iv. sect. 1. [pp. 140—142, 145—147.]

CHAP. VIII.

THAT THE POPE AND COURT OF ROME ARE MOST GUILTY OF THE SCHISM.

[SECTION THE FIRST.]

Discourse III.

[Two remarks of R. C. answered.]

We are come now to my sixth and last ground,—that the guilt of the schism rests upon the Pope and the Court of Rome.

The first thing which I meet with is his marginal note out of St. Austin,—"*Cathedra quid tibi fecit Ecclesiæ Romanæ?*"—"What hurt hath the See of Rome done thee [q]?" But, first, Petilian's case, to whom these words were spoken, is not our case. He called all the Catholic sees, throughout the world, "Chairs of Pestilence [r];" so do not we. Neither doth St. Austin attribute any thing singular to the see of Rome in this place, more than to the see of Hierusalem, or any other Catholic see. "*Si omnes per totum orbem tales essent, quales vanissime criminaris, cathedra tibi quid fecit Ecclesiæ Romanæ, in quâ Petrus sedit, et in quâ hodie Anastasius sedet, vel Ecclesiæ Hierosolymitanæ in quâ Jacobus sedit, et in quâ hodie Johannes sedet? Quibus nos in Catholicâ unitate connectimur, et a quibus vos nefario furore separâstis* [s]." It is not we that have "furiously separated" ourselves from either of these sees. But it is the Court of Rome which hath made the separation, both from Hierusalem and from us.

In the next place, he inquireth what I intend by "this" present "schism," whether 'the schism of Protestants in general, or of English Protestants in particular;' and whether 'by *causally* I understand a sufficient cause, that freeth from sin [t].'

[q] [August.,] Cont. [Litter.] Petilian., lib. ii. c. 51. [§ 118. tom. ix. p. 254. G. quoted by R. C., Surv. c. viii. sect. 1. p. 110.]

[r] [August., ibid. p. 255. A.]

[s] [Id., ibid., as in note q, pp. 254, G. 255. A.]

[t] [Surv., c. viii. sect. 1. pp. 110, 111.]

PART I.

Doubtless I must understand "a sufficient cause, that freeth" the innocent party "from sin," or understand nothing; for an unsufficient cause is no cause. But his induction is imperfect. I do neither understand the schism of the Protestant Church in general, nor the schism of the English Church in particular, but directly the schism of the Roman Church; which did first give just cause of separation, not only to Protestant Churches, but to all the Eastern Churches, and then did make the separation by their unjust and uncharitable censures. But he saith, 'there can be no just cause of schism [u].' The greater is their fault who are the true schismatics; first, by giving just cause of separation from their errors, and then making the separation by their censures. It is true, there can be no just cause of criminous schism, because there can be no just cause of sin;—It is not lawful to "do evil that good may come" of it;—but there may be both just cause of separation, and just separation without any crime or sin, yea, "virtuous and necessary," as is confessed by themselves [v]. In all such cases the sin of criminous schism lies at their doors, who introduced the errors, and thereby first separated themselves from the uncorrupted Church which was before them [x].

[Rom. iii. 8.]

[Causes of our separation.]

Before he come to answer my arguments, he proposeth an objection of his own,—'that neither the Church nor Court of Rome did give any sufficient cause of separation either to Luther or to Henry the Eighth [y].' In prosecution whereof he supposeth, that Luther had no cause of separation but "the abuse of some preachers of indulgences, whom the Pope of that time rebuked severely [z];" nor Henry the Eighth, but "the excommunication of Clement the Seventh [a]."

Indulgences.

That of Luther is altogether without the compass of the question between him and me, which concerneth only the Church of England. I shall only make bold to tell him, 238 that whensoever it comes to be examined, it will be found that Luther had many other causes of what he did, than "the abuse of some preachers of indulgences." If he will

[u] [Ibid., p. 111.]
[v] [Surv., c. ii. sect. 4. pp. 23, 24; vid.] supra c. ii. sect. 4. [pp. 81, 82.]
[x] [Knott's] Infidel. Unmasked, c. vii. sect. 112. p. 534.
[y] [Surv., c. viii. sect. 1. p. 111.]
[z] [Ibid., p. 113.]
[a] [Ibid., p. 111.]

not give me credit, let him consult the Hundred Grievances of the German Nation [b]. That the Pope "rebuked" those preachers of indulgences "severely," is more than I have read: only this I have read, that Carolus Mil[t]itius did so chide Tecelius the Pope's pardoner about it, that shortly after he died of grief [c].

The excommunication of Henry the Eighth.

Concerning Henry the Eighth, "the excommunication of Clement the Seventh" was so far from being a total adequate cause of his separation, that it was no more but a single occasion. The original privileges of the British Churches, the ancient liberties and immunities of the English Church, daily invaded by the Court of Rome, the usurpation of the just rights and flowers of his own Crown, the otherwise remediless oppression of his subjects, and the examples of his noble predecessors, were the chief grounds of his proceedings against the Court of Rome.

He asketh, "Could not Henry the Eighth have been saved, . . . though he was excommunicate [d]?"

Yes; why not? Justice looseth unjust bonds. But I see that this question is grounded upon a double dangerous error. First, that all reformation of ourselves is a sinful separation from other Churches. Whereas he himself confesseth, that it is sometimes "virtuous and necessary [e]." Nay, every reformation of ourselves is so far from being a sinful separation from others, that it is no separation at all, except it be joined with censuring and condemning of others. The second error intimated in this question is this, that, so long as there is possibility of salvation in any Church, it is not lawful or at least not necessary to separate from the abuses and corruptions thereof. A Church may continue a true particular Church, and bring forth children to God, and yet out of invincible ignorance maintain material heresy, and require the profession of that heresy as a condition of communicating with her; in which case it is lawful, nay, necessary, after conviction to separate from her errors. Those errors and corruptions are pardonable by the goodness of God to them who err out of invincible ignorance, which are not pardonable

[b] [See Just Vindic., c. vii. vol. i. p. 209. note i.]

[c] [Pallavicini, Hist. Concil. Trident., lib. i. c. 14.—on Luther's authority.]

[d] [Surv., c. viii. sect. 1. p. 111.]

[e] [Ibid., c. ii. sect. 4. p. 24.]

PART I. in like manner to them who sin contrary to the light of their own conscience.

He addeth, that "this excommunication" was not the "fault of the Roman Church," which neither "caused" it nor "approved it." Yea, saith he, "divers" of them "disliked it both then and since, not as unjust," but as "imprudent[f];" and some have declared themselves positively, that "a prince and a multitude are not to be excommunicated[g]."

It were to be wished for the good of both parties, that all men were so moderate. To his argument I give two answers. First, as the Church of Rome did not approve the excommunication of Henry the Eighth, so neither did Henry the Eighth separate himself from the Church of Rome, but only from the Pope and Court of Rome. Secondly, what are we the better that some in the Roman Church are moderate, so long as they have no power to help us, or hinder the acts of the Roman Court? They teach, that "a prince or a multitude are not to be excommunicated." But in the mean time the Court of Rome doth excommunicate both "princes," and "multitudes," and whole kingdoms, and give them away to strangers; whereof there are few kingdoms or republics in Europe that have not been sensible more or less; and particularly England hath felt by woful experience in sundry ages. Clement the Seventh excommunicated King Henry, but Paul the Third both excommunicated and interdicted him and the whole kingdom; and this was the first separation of the Church of England from the Church of Rome, and the original of the schism, wherein the Church of England was merely passive. So the Court of Rome was the first cause of the schism.

SECTION THE SECOND.

[The author's first argument to prove] We are come now to my first argument, to prove the Court of Rome to be causally schismatical. My proposition

[f] [Ibid., c. viii. sect. 1. pp. 111, 112.]

[g] [Ibid., p. 112; from the Gloss. in Matt. xiii., ap. Thom. Aquinat., Supplem. (Tert. Part. Summæ), Qu. 22. art. 5.]

is this—Whatsoever doth leave "its proper place in the body, either natural, or political, or ecclesiastical," to "usurp the office of the Head," or to usurp a higher place in the body than belongs unto it, is the cause of "disorder, disturbance, confusion, and schism, among the members." My assumption is this—But the virtual Church of Rome, 239 that is, the Pope with his Court, being but a co-ordinate member of the Catholic Church, doth seek to "usurp the office of the Head;" being but a "branch," doth challenge to himself the place of "the root;" being but a stone in the building, will needless be "an absolute foundation, for all persons, places, and times;" being but an eminent servant in the family, takes upon him to be the Master[h].

DISCOURSE III. — the Court of Rome causally schismatical; viz. that it usurps a higher place in the body ecclesiastical than is its due.]

To the proposition he taketh no exception: and to the assumption he confesseth, that the Church of Rome, in right of the Pope, doth seek to be "Mistress of all other Churches[i]," and an "external subordinate foundation of all Christians in all times and places[i]," which is no more than is contained in the new Creed of Pius the Fourth—"I acknowledge the Roman Church to be the Mother and Mistress of all Churches; and I promise and swear true obedience to the Bishop of Rome as to the Vicar of Jesus Christ[k]." But all this he justifieth to be due to the Pope, and included in the supremacy of his pastoral office. But he saith, that it "is not the doctrine of the Universal Roman Church, that the Pope is the root of all spiritual jurisdiction[l]." Though it be not the doctrine of the whole Roman Church, yet it is the doctrine of their principal writers at this day. It is that which the Popes and their courtiers do challenge; and we have seldom seen them fail, first or last, to get that settled which they desired. The Pope hath more benefices to bestow than a Council. If the Church of Rome be the "foundation of all Christians," then Linus and Cletus and Clemens were the foundations of St. John, who was one of the "twelve foundations" laid immediately by Christ. How can the Church of Rome be the "foundation of all Christians," when they do not agree among themselves,

The Church of Rome no foundation of Christians.

Rev. xxi. 14.

[h] [Just Vindic., c. viii. vol. i. p. 247.]
[i] [Surv., c. viii. sect. 2. p. 114.]
[k] Bull. Pii IV. [in Act. Concil. Trident., ap. Labb., Concil., tom. xiv. p. 946. A. B.]
[l] [Surv., c. viii. sect. 2. not paged.]

PART I. that the Chair of St. Peter is annexed to the see of Rome by Divine right[m]? How can the Church of Rome be the "foundation of all Christians at all times," when there was a time that there were Christians and no Bishop or Church at Rome? when it happens many times, as in this present vacancy[n], that there is no Bishop at Rome? St. Peter was Bishop of Antioch before he was Bishop of Rome; then there was a time when Antioch was the "mistress" and "foundation" of all other Churches, and not Rome. St. Peter might have continued Bishop of Antioch until his death, and then Antioch had still been the "mistress" and "foundation" of all other Churches. He might have been neither Bishop of Antioch nor Rome, and then the other Churches had wanted such a hereditary "mistress." All this is confessed by Bellarmine[o]. Doth Paul the Ninth[p] make us new articles of faith, of so great contingency, that were not of perpetual necessity? How can the Church of Rome be the "foundation of all Christians in all places," when there have been so many Christian Churches ever since the days of the Apostles, who never had any thing to do with Rome, nor scarcely ever heard of the name of Rome? If the Pope be the "Master of all Christians," he is but a young master; for we find no such expression in all the primitive times. Why were the ancient Bishops so grossly overseen to style him their "brother," their "colleague," their "fellow," who was their master? It might be modesty in the Pope to use such familiar expressions, as a general calls all his army fellow-soldiers; but it was never heard that a private colonel or captain did call his general fellow-soldier, or a servant call his master fellow-servant, or an ordinary clerk call his Bishop his brother. St. Peter writ himself a fellow-elder, not a master. If St. Paul had known, that the Roman Church had been the "mistress" and "foundation" of all other Churches, he would have given them their due title; and the whole Scripture had not been so silent in so necessary a point.

1 Pet. v. 1.

[m] [See Bellarm., De Roman. Pontif., lib. iv. c. 4.]

[n] [Viz. between Innocent X, who died Jan. 7. 1655, and Alexander VII, who was elected April 7. the same year.]

[o] De Roman. Pontif., lib. ii. c. 12. [Op. tom. i. p. 743. C.]

[p] [This must be a misprint for "Paul the *Third*," in whose Pontific..te the Council of Trent commenced its sittings.]

Discourse III.

But he saith, "The Pope's supremacy is neither against the two Creeds, nor the first four general Councils [q]," intimating thereby that it excludes none from salvation, and consequently is no sufficient cause of separation.

[The Papal Supremacy is a sufficient cause of separation.]

I answer, first, that it *is* against the four first general Councils, if this were a proper place for the discussion of it. I answer, secondly, that though it were not opposite to the Creed or the first four general Councils, yet, if it be not virtually included in the Creed, being, as it is, by them obtruded upon all Christians as an article of Faith or a necessary part of saving truth, "*extra quam non est salus*"—"without which there is no salvation [r]," it becomes a just and sufficient cause of separation to all those upon whom it is so obtruded. Of this more in the next argument.

SECTION THE THIRD.

[The author's second argument; viz. that] the Church of Rome obtrudeth new articles of Faith, and excommunicateth for not receiving them.

My second argument may be thus reduced;—That Court
240 which obtruded newly coined articles of Faith—such as the doctrine of the seven Sacraments, Transubstantiation, Purgatory, invocation of saints, worshipping of images, indulgences, and especially the Pope's supremacy—upon the Christian world, as absolutely necessary to salvation and necessary conditions of Catholic communion, and excommunicateth and anathematizeth above three parts of the Christian world for not admitting them, is fearfully schismatical; but the Court of Rome doth all this [s]. That these are no old articles, appeareth by all the ancient Creeds of the Church; wherein they are neither explicitly nor virtually comprehended. That they are made new articles by the Court of Rome, appeareth by the Bull of Pius the Fourth; A. D. 1564. wherein they are added to the old Creed, "*ut unius et ejusdem fidei professio uniformiter ab omnibus exhibeatur*"—"that the profession of one and the same Faith may be declared uniformly by all, and one certain form thereof be made known to all [t]." And, lastly, that the Court of Rome hath solemnly

[q] [Surv., c. viii. sect. 2. not paged. For "two Creeds" read "three Creeds."]

[r] [Bull. Pii IV., as before quoted, p. 946. B.]

[s] [Just Vindic., c. viii. vol. i. pp. 247, 248.]

[t] [Bull. Pii IV.] An. 1564. [as before quoted, p. 944. C. D.]

PART I.

excommunicated with the greater excommunication, and anathematized, and excluded (so far as lieth in their power) from the communion of Christ, all the Grecian, Russian, Armenian, Abyssene, and Reformed Churches, being three times more in number than themselves, for not receiving these new articles, or some of them, and especially for not acknowledging the sovereign power and jurisdiction of the Roman Bishop and his Court, appeareth undeniably by the famous Bull of Pius the Fifth[u], called "*Bulla Cœnæ*," because it is read *in die Cœnæ Domini*, or upon Thursday before Easter.

A. D. 1569.

1. The Papacy a cause of separation.

In way of answer to this, he asketh, "how this was any cause of King Henry's revolt[x]?"

I reply, first, that though Henry the Eighth had not thought of this, and so it had not been '*causa procreans*'—'a productive cause' of the separation, yet to us it is a most just cause to condemn them of schism. Secondly, the "revolt," or more truly the separation, of the Church of England from the *Church* of Rome, was not made by Henry the Eighth or the English Church, but by the Pope and Court of Rome, who excommunicated him and his kingdom for not enduring their encroachments and usurpations. He and his kingdom were passive in it; only the Court of Rome was doubly active; first, in "revolting" from the right discipline of their predecessors; and, secondly, in excluding the party wronged from their communion[y]. But in the separation of England from the oppressions of the *Court* of Rome, I confess that Henry the Eighth and the kingdom were active[y]. And this very ground—to avoid the tyranny, ambition, and avarice of the Roman Court—was the chief impulsive cause both to the English and Eastern Christians. For though the sovereignty of the Roman Bishop was not obtruded upon them in form of a Creed, yet it was obtruded upon them as a necessary point of Faith. If Henry the Eighth had any other private sinister grounds known only to himself, they do not render the Reformation one jod the worse in itself, but only prove that he proceeded not uprightly; which concerneth him, not us.

[u] [i. e. Pius V. ordered its use "through all Christendom," as well as at Rome] an. 156[8. See Fleury, Hist. Eccl. liv. clxxi. § 22.]

[x] [Surv., c. viii. sect. 3. not paged.]

[y] [See Just Vindic., c. iii. vol. i. pp. 128, 129.]

Secondly, he answereth, that though they "profess that it is necessary to salvation to be under the Pope as Vicar of Christ, yet they say not that it is necessary '*necessitate medii*,' so as none can be saved who do not actually believe it[z]." [2. The Papacy made by Romanists an essential article of the Catholic Faith.]

If all this were true, yet it were too much to oblige the whole Christian world to submit to the Pope as the Vicar of Christ, by virtue of the commandment of God. But I fear that Pope Pius by his Bull, and all they by their swearing in obedience thereunto, *do* make it to be "necessary '*necessitate medii*,' so as none can be saved who do not actually believe it." And then there was little hope of salvation throughout the whole Christian world in the times of the Councils of Constance and Basle, out of the Pope's own Court, which was then the only Noah's Ark. The words of their oath are these, "*Hanc veram Catholicam fidem, extra quam nemo salvus esse potest*," &c.—"This true Catholic Faith, without which no man can be saved, which I profess freely, and hold truly in present, I do promise, vow, and swear, by the help of God, to retain and confess, perfect and inviolated, most constantly, to my last gasp; and will take care (so far as in me lieth) to cause it to be taught and preached to all that shall be committed to my charge[a]." If it were not necessary '*necessitate medii*,' some might be saved without it, namely, all those who are invincibly ignorant of it; but they swear expressly that "no man can be saved without it:" and so make it to be an essential article of the Catholic Faith.

Thirdly, he answereth, that "the Roman Church" (he 241 should say the Roman Court) "doth not excommunicate all the Christians of Afric, Asia, Greece, and Russia, but only such as do err vincibly or sinfully, such as are formal or obstinate heretics or schismatics: . . there are innumerable in those Churches who are but '*credentes hereticis et schismaticis*,' because the Catholic Faith was never sufficiently preached to them; and these the Pope doth not excommunicate[b]." [3. The Pope excommunicates the Eastern Churches.]

I wish he did not; but his own Bull speaks the contrary,—that he excommunicates them all solemnly, anniversarily,

[z] [Surv., c. viii. sect. 3. not paged.] p. 946. B. C.]
[a] Bull. [Pii] IV. [as before quoted, [b] [Surv., ibid. See above p. 205, note n.]

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with the greater excommunication[c]. The Bull makes no such distinction between heretics or schismatics and those who 'give credit' to heretics or schismatics. The Bull hath no such exception of those who err out of invincible ignorance. If the Grecians be not all excommunicated, then by the same reason the Protestants are not all excommunicated; there is no difference. Yet he seemeth to extenuate their fault, because the "Faith was never sufficiently preached to them;" whereas in truth they hold the Pope's declaration to be a sufficient proposal. I do not say, that the efficacy of this rash censure doth extend either to them all or to any of them all. But they owe no thanks to the Court of Rome for sparing them, but to Christ for annulling their sentence. So much as lieth in them, they exclude them all from the communion of Christians, and all hope of salvation. How cometh it to pass that he, who pleaded but even now that a multitude ought not to be excommunicated on a sudden[d], is contented to give way to the solemn annual excommunication of such innumerable multitudes of Christians? to whom himself confesseth, that "the Catholic Faith" (he meaneth their newly-coined articles) "was never sufficiently preached."

[4. To exclude and to declare excluded the same thing.]

Fourthly, he answereth, that the Pope doth not "exclude" them by his excommunication, but only "declares that they are excluded . . by their own heresy or schism[e]."

It is a great question in the schools, whether any sentence of binding and loosing be more than declaratory. But this is certain, that as to this case now in question between him and me, it is all one whether the sentence of the Pope do cut them off from the communion of the Catholic Church, or only declare them to be cut off. For still the same rupture or schismatical separation of one part of the Catholic Church from another, doth follow thereupon. If the Pope do justly "exclude" them or "declare them to be excluded," the schism lieth at their own doors. If the Pope do either unjustly "exclude" them or "declare them to be excluded," the schism lieth at his door. I know ecclesiastical canons do sometimes inflict penalties upon delinquents *ipso facto*, or by the sentence of the law; sometimes they do moreover re-

[c] [Bull. in Cœnâ Domini, as before quoted.]

[d] [See above sect. 1. p. 238. note g.]

[e] [Surv., c. viii. sect. 3.]

quire the sentence of the judge. The sentence of the law takes place sooner than the sentence of the judge; but the delinquent stands not legally convicted until a juridical declaration. And in all such cases the law must be confessed, the fact notorious. But in this case of the Eastern Churches, there is no law, there is no canon that inflicteth any penalty of heresy or schism upon them; their delinquency is not notorious, or rather it is evident that they are no delinquents; they have no competent judge except a general Council, whereof they make the greatest part themselves; finally, the proceeding against them was illegal, temerarious, and '*coram non judice.*'

No recusants in England, or few, in the beginning of Q. Elizabeth's reign.

I said, that "for divers years in the beginning of Queen Elizabeth's reign there were no recusants known in England," until Papists were "prohibited by a Bull" to join with us in our public form of serving God[f]. This, he saith, "is most false[g]."

If it be so, I am more sorry: it was before my time. But I have no reason to believe it to be false. If I had the use of such books as I desire, I should shew great authors for it; and as it is, I shall produce some not to be contemned, who say not much less. First, I cite a treatise printed at London by John Day, about the time when Pius the Fifth's Bull was published against Queen Elizabeth, called "The Disclosing of the Great Bull that roared at my Lord Bishop's Gate," with a "Declaratory Addition" to the same;—"In hope of the success of this Bull, a number of Papists that sometimes did communicate with us, or at the least came ordinarily to our public prayers, have of late forborne[h]." With which author Mr. Camden agreeth, who saith, that "the more modest Papists . . did foresee a heap of miseries hanging over their heads by the means of this Bull, who formerly could exercise their own religion securely enough within their own private houses, or else, without any
242 scruple of conscience, were content to go to Church to hear

The Disclosing of the Great Bull, [and certain calves that he hath gotten, and specially the Monster Bull that roared at My Lord Byshop's Gate.]

[f] [Just Vindic., c. viii. vol. i. p. 248.]

[g] [Surv., c. viii. sect. 3; from Sanders, De Visib. Monarch. (lib. vii. § 2037, &c.).]

[h] The Disclosing of the Great Bull, [&c. by Thos. Norton, publ. at Lond. in 1569. (see, for the circumstance alluded to, Camd., as quoted in note i), p. 4. in the Addition. See also Stat. 13. Eliz. (c. 2. § 1.), quoted by Taylor, Serm. on Anniv. of Gunpowd. Treas., Works, vol. vi. p. 592; and other authorities quoted in Mosh., Eccl. Hist., Cent. xvi. bk. sect. iii. c. 3. § 1. ed. Soames; and for Ireland, ibid. c. v. § 7.]

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the English Service[i]." The reason of this indifferency and compliance is set down by one of their own authors,—because the Queen, "to remove, as much as might be, all scruples out of the people's heads, and to make them think that the same Service and religion continued still," &c., "provided that in the Common Prayer Book there should be some part of the old frame still upheld," &c., "by which dexterous management of affairs the common people were instantly lulled asleep, and complied to every thing[k]."

More Protestants suffer now than Roman Catholics at the Reformation.

Concerning the catalogue which he cites out of Mr. Camden[l], of so many Papists that were deprived in the beginning of Queen Elizabeth's time, it makes nothing at all against that which I said. They were not deprived for being recusants, or refusing to hear the English Service, but for refusing to take the oath of supremacy, as the same author saith[m]. Neither is that account Mr. Camden's account, but the account of the Roman Catholics themselves;—his words are these, "The number of these, according to their own account, throughout the whole kingdom[n];"—which account Mr. Camden doth in part correct and contradict. For he telleth there of three Popish Bishops that changed their religion of their own accords, the Bishops of Chester, Worcester, and St. Asaph. But suppose this account were true, what great matter was it for a hundred and ninety[o] at the most, of all ranks and conditions, high or low, to suffer deprivation for their religion throughout the whole kingdom of England? wherein, without his Abbots and his Abbesses, which he reckons among the rest to make up the number, there are above nine thousand parish churches, besides all dignitaries and prebendaries of cathedral and collegiate churches, and Masters and Fellows of Colleges. It was a very small inconsiderable proportion. He will not vouchsafe our present sufferings the name of persecution; yet there is neither the city of London, nor either of our Universities, wherein more of us have not suffered for our consciences, than of Papists

[i] Camd., [Annal.] Eliz., an. 1570. [P. ii. p. 186. ed. 1639.]

[k] Image of Both Churches [&c., by Father Matt. Patenson], edit. an. 1653. pp. 442, [443.]

[l] Camd., [Annal.] Eliz., an. 1559. [(P. i. pp. 22-24.); quoted by R. C., Surv., c. viii. sect. 3.]

[m] [Id., ibid. p. 22.]

[n] [Id., ibid. "Nec illi sane plures (ut ipsi prodiderunt) in universo regno" &c.]

[o] [Id., ibid. The number given is 188.]

in those days throughout the whole kingdom of England. In the city of London alone we find a hundred and twenty pastors of parish churches, whereof forty were doctors in theology, turned out of their benefices and homes, plundered, imprisoned, and many of them dead under the burden of their grievous pressures; besides all the numerous dignitaries, prebends, and inferior clergymen, belonging to the cathedral church of St. Paul, and the collegiate church of St. Peter, and their respective quires[p]. I could say more touching your Romish confessors at that time,—that they refused the oath of supremacy more out of compact than conscience, hoping by their unanimity, and for fear of wanting means of ordination, to necessitate the state to continue them all. But when they see how miserably they were deceived, and their churches filled with such as were returned from banishment, of whom they dreamed not, "*conjurationis eos pœnituit*"—"they repented of their foolish plot;" and when it was too late, "*multi ad judices .. recurrunt, contumaciam agnoscunt, ac petunt sibi contra Pontificem jurare licere*"—"many of them run to the judges, confessed their obstinacy, and desired leave to take the oath[q]," as they had done in King Henry's days. But let the faith of this rest upon the author.

SECTION THE FOURTH.

[The author's third argument; viz., that the Court of Rome rebelleth against the representative Church, that is, a general Council.]

To my third argument he giveth no answer in his Survey, but what was taken away in the Vindication before it was made. The sum of my argument was this;

That Court which rebelleth against the highest tribunal of the Church, and assumeth a sovereign power over it to itself, is schismatical; but the Court of Rome rebelleth against the supreme tribunal or judicatory of the militant Church, that is, the representative Church, or a general Council[r]. The reader will excuse me if I do sometimes complicate two or three '*medios terminos*' together for brevity' sake.

His first exception is, that, 'whereas I should prove that

[p] [See Persecutio Undecima, p. 25; Bill of Mortality at the end of c. vi.]

[q] Acworth, Cont. Sander., lib. ii. p. 197.

[r] [Just Vindic., c. viii. vol. i. pp. 218, 219.]

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the Papacy is the cause of schism, I do seek to prove that the Papacy is schism[s].'

[Two minor objections answered.]

To say "the Papacy is schism," is nonsense. I hope I may have leave to write common sense. But I did say, and I do say, that the Court of Rome is *in* schism, or schismatical. To say it is in schism, and to say it is "the cause of schism," is the same thing; for it is not the separation, but the cause, that makes the schism. They who give just cause of separation are schismatical, and they who take it are innocent.

Secondly, he demandeth, "how the Papacy, 'as it is now maintained by many,'" could be a sufficient ground of separation to the Protestants, especially of separation from "the whole Roman Church[t]?" 243

I answer, very well; because it was then, and two or three ages before that, maintained in the same manner, or rather a higher degree, by the Court of Rome and some others of the Roman Church, though not so many as at this day. Our separation from the *Court* of Rome is total and absolute, because we know no legal subjection which we owe to the Court of Rome. But I know no such absolute separation on our parts from the *Church* of Rome, but only a difference from them in their erroneous opinions, and a forbearance to practise some other things, which are made by them conditions of their external communion, wherein we cannot join with them with a good conscience. The making of their errors to be essentials and necessary conditions of Catholic communion, makes the breach appear greater than it is. That this is clearly the sense of our Church, I have shewed out of the thirtieth Canon[u].

A general Council complete without the Pope.

So he comes to his main answer,—that "to rebel against a complete general Council," joined "with the Pope as head thereof," is "gross schism; but not to resist an incomplete general Council, . . without the Pope[x]."

This answer is sufficiently confuted in the Vindication: first, by the authority of St. Gregory, who makes it to be schismatical in the Pope to challenge such an universal Headship of power; secondly, by the Popes' own laws, and

[s] [These words do not appear in the copy of the Survey in the Bodleian.]

[t] [Surv., c. viii. sect. 4.]

[u] Just Vindic., c. vi. § [3. vol. i. pp. 197, 198.]

[x] [Surv., c. viii. sect. 4.]

by their professions of obedience to the canons; thirdly, by the appeals made by princes and prelates and Universities from the Popes to general Councils; and, lastly, by the express decrees of the Councils of Constance and Basle in the point[y].

To which I add,—

That those very decrees of general Councils which have been not only not ratified but opposed by the Popes, have nevertheless been evermore received and obeyed as laws in the Catholic Church for the authority of the Council. As the decree of the Council of Chalcedon, for equalling the Patriarch of Constantinople to the Patriarch of Rome, was protested against by the Pope's legates in the name and on the behalf of their master[z], and yet was ever held and practised as an authentic rule by the Catholic Church, and reverenced by St. Gregory as a part of the Gospel[a]. Justinian the emperor called the fifth general Council, at which Vigilius the then Pope refused to be present, or to give any consent unto it, for which his frowardness he was banished by the emperor. This in R. C. his judgment was an "incomplete general Council:" yet in all succeeding ages, and by the Popes themselves, it was honoured and esteemed as a true general Council[b]. I confess a general Council was not held complete in the primitive times, when such an assembly might be had, without the presence of the five Protopatriarchs by themselves or their deputies. But to think that any one of these, either the Roman Patriarch or any other, had a Headship of power over the Council, or a negative voice against the Council, is a most groundless fancy, whereof we find not the least footstep in all antiquity. And therefore R. C. might well have forborne his comparison of king and Parliament[c], as altogether impertinent. The king was confessedly a Head of power over the Parliament, so was not the Pope over a general Council. The king had evermore a

[y] [Just Vindic., c. viii. vol. i. pp. 249, 250.]

[z] [Concil. Chalced. (A.D. 451) Act. xvi. ap. Labb., Concil., tom. iv. pp. 791, &c.]

[a] Greg. M., Epist., lib. i. Ep. 24. [editt. before Bened.—25. Op. tom. ii. p. 515. B. ed. Bened. See Beveridge, Synodic., tom. ii. p. 124.]

[b] Bron., Annot. in Concil. V. [Annot. ap. *Zonar.*, Commentar., in Concil. V. Œcumenic., (scil. Concil. Constantinop. II., A. D. 553.) p. 123, ed. Paris. 1618. See also Labb., tom. v. p. 415; and Barrow, Of the Pope's Suprem., Answ. to Suppos. vi. p. 203.]

[c] [Surv., c. viii. sect. 4.]

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negative voice in Parliament, so had the Pope never in a general Council. When the Parliament had made up their Bills, they preferred them always to the king by way of petition, but the Bishops in a general Council by way of definition—'*Ego A. definiens subscripsi.*' In a general Council the president (who is no more than a prolocutor or Speaker in parliament) makes his last address to the body of the Council in this sort, '*Placet? aut non placet?*'—'Doth it please you, or not?' but in Parliament, after the members have voted 'content,' or 'not content,' the last address must be to the king; and he is free to say 'the king will have it,' or, 'the king will advise.' If a general Council have not the rights and privileges of a general Council unless the Pope be present as the Head thereof and concur with it, to what purpose were those questions so canvassed in the Western Church, whether a general Council be above the Pope? and whether a general Council can depose the Pope? Doth any man think that our ancestors were so simple as to question whether the body be above the head? or to hope that the Pope would concur willingly to his own deposition? This we know for certain, that the Council of Constance, without the presence or concurrence of the Pope, did decree themselves to be a lawful complete general Council, superior to the Pope, and that he was subject to their censures; and 244
deposed three Popes at a time. And their acts were confirmed in the Council of Basle.

The decree of the Council of Constance for its superiority above the Pope lawful.

To this decree of the Council of Constance he giveth two answers.

First, that "it is probable that the Council meant only of doubtful Popes[d]."

But I did take away this answer in the Vindication two ways. First, because it is contrary to the text. The words of the Council are these; "the Pope,"—that is, a Pope truly elected and lawfully admitted; it is uncertain whether a doubtful Pope be Pope or no;—"is subject to a general Council,"—that is, a general Council without the presence or concurrence of the Pope, such as the Council of Constance was;—"as well in matter of Faith as of manners,"—this is more than doubtful titles,—"so as he may not only be

[d] [Surv., c. viii. sect. 4.]

corrected, but if he be incorrigible be deposed[e]." So a Council may correct the Pope, and if they please continue him, or if they find him incorrigible depose him. Men are not corrected for weak and litigious titles, but for faults in Faith or manners. Neither can they be said to be deposed, who are only declared to have been usurpers. Secondly, I confuted this answer by the execution of the decree. The Council did not only declare who was the right Pope, which is a judiciary act, and may be done by an inferior towards his superior, but they turned out three Popes together, whereof one without controversy was the right Pope; and so made right to be no right for the public good of the Church, which is a badge of sovereign and legislative authority[f].

His second answer is, that 'this decree was not conciliarly made, and consequently not confirmed by Martin the Fifth[g].'

[This decree conciliarly made, and therefore confirmed.]

This answer was likewise taken away in the Vindication. First, because the Pope's confirmation is but a novelty, never practised in the ancient Church, and signifieth nothing. The Pope and his legates did subscribe in the same manner and form that other Bishops and their legates did; and that was all. Secondly, because Pope Martin's title to the Papacy did depend merely upon the authority of the decree. If this decree were not a lawful decree of a lawful general Council, and such a Council as had power to depose the former Pope, then Pope Martin was no Pope but an usurper, and then his confirmation signified nothing also in that respect. Last, I shewed that it *was* "conciliarly made," and what the word "conciliarly" there signifieth, out of the Acts of the Council. And that passage was not intended for a confirmation, but an occasional speech after the end of the Council, after the Fathers were dismissed, in answer to an unseasonable proposition made to the Pope by the ambassadors of Polonia and Lithuania about a seditious book, which they alleging to have been condemned by the Deputies of the Nations, but not being able to affirm that it was condemned in the public Acts of the Session, the Pope answered, that he approved

[e] [See Just Vindic., c. viii. vol. i. p. 250. note e. Bramhall has abridged the decree in his own words, but his gloss is fully borne out by the original.]

[f] [See Just Vindic., ibid. p. 252.]

[g] [Surv., c. viii. sect. 4.]

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what had been conciliarly done[h]. To all this he answereth nothing, but that "the word '*conciliariter*' or 'conciliarly' signifieth rather the manner of a Council, than of a Council[i]." Let it be so. Is not the decreeing of any thing publicly in the Session 'the manner of the Council's acting?' The Deputies of the Nations were like a committee of Parliament; who have no power to decree, though they be a committee of the whole House, but only to prepare things for the House. Now suppose the king at the close of the Parliament, being requested to confirm some acts of a committee, should use the very same expression which Martin the Fifth did, that he would hold and observe inviolably all things determined and concluded by that parliament *parliamentariter* or parliamentarily. Doth not this evidently confirm all the acts and conclusions of the parliament? Or what can this in reason exclude but only the acts of the committees? To say, as R. C. saith, that 'he confirmeth only those acts which were done with due deliberation[k],' is as much as to say, that he confirmeth just nothing at all. How shall it be known, or who shall be judge, what was done with due deliberation, and what was not? Neither doth it weigh any thing at all to say (as he doth), that the word *concilium* doth exclude the Deputies of the Nations without adding *conciliariter*[l]: for, first, it is a rule in law that '*abundans non vitiat*' —'a word or two too much do no hurt;' secondly, the Deputies of the Nations did sit and act by the authority of the Council, and consequently their acts were mediately and 245
in some sort the acts of the Council.

[Of no consequence whether it be confirmed or not.]

Lastly, whether the decree of the Council were confirmed or not, to me seemeth all one. The end of convocating so many Bishops is to represent the consent of all those respective Churches from which they are sent, and to witness the received belief. We see by their votes, what was the received opinion of the Occidental Church. And we see otherwise sufficiently what was the received opinion of the Eastern, Southern, and Northern Churches. So as the Roman Court will not be able to find one national Church

[h] [Just Vindic., ibid., pp. 250—252.]
[i] [Surv., c. viii. sect. 4.]
[k] [Ibid. "done after due examination."]
[l] [Ibid.]

of that age throughout the world to maintain their exorbitant claims.

[SECTION THE FIFTH.]

[The author's fourth and two additional arguments unnoticed by R. C.]

To my fourth argument, drawn from the Pope's challenge of all Episcopal jurisdiction and consequently the breaking of all the lines of Apostolical succession except his own, and to my two additional arguments concerning the infallibility of the Pope's judgment and his power over princes [m], he answereth nothing, but that they are not "defined by the Roman Church," and therefore cannot be "a cause of departing from her communion [n]." Neither have I endeavoured to charge the crime of schism upon the Roman Church in general, but upon the Roman Court, and the violent propugners thereof, whose tenets these are. I wish the Roman Church restored to its ancient splendour of an Apostolical Church, and the principal Protopatriarchate, and its 'beginning of unity.'

[What is wrongly begun, may be rightly continued.]

Notwithstanding the weakness of his answers, yet he lays down this for a conclusion, that, "whatsoever I now pretend," our separation was "schismatically begun [o];" and thence infers upon a ground brought by me—"*Quod ab initio fuit invalidum, tractu temporis non convalescit,*"—that it is "schismatical still [p]."

First, I deny his ground; the separation was not made by us, but by them. What we did was not schismatical, but just and necessary. Secondly, his inference is grossly mistaken, and the rule which I brought altogether misapplied. "That which was invalid from the beginning, cannot become valid by" prescription or "tract of time," but it may become valid by subsequent acts of parties interessed. And that which was uncharitably begun and schismatically, may be charitably, piously, and necessarily continued; as by many reasons and instances may be made appear, but that it is besides our question.

[m] [Just Vindic., c. viii. vol. i. pp. 252—256.]

[n] [Surv., c. viii. sect. 5.]

[o] [Ibid.]

[p] [Surv., ibid.—Just Vindic., c. iv. vol. i. p. 132.]

CHAP. IX.

A DEFENCE OF OUR ANSWERS TO THE OBJECTIONS OF THE ROMANISTS.

SECTION THE FIRST.

PART I.

Some Roman Catholics formal schismatics.

IN the first place he observeth a difference between Protestants and Roman-Catholics, that "Protestants do not charge Roman Catholics with formal schism," but only with 'causal schism,' whereas Roman "Catholics do charge Protestants with formal schism [q]."

To which I give three answers.

First, if Protestants do not charge them with formal schism, their charity is the greater, and the Roman Catholics are the more obliged to them. Certainly we have better grounds to charge them with formal schism, than they have to charge us. But indeed Protestants do charge the Roman Court, and all Roman Catholics who maintain it, and adhere unto it, out of ambitious, avaritious, or other sinister ends, and not out of simplicity of heart and invincible or at least probable ignorance, with "formal schism."

Secondly, causal schism may be, and in this case of the Romanists is, as well formal, nay, sometimes more formal than actual schism, or to speak more properly than actual separation. Whosoever give just cause of separation to others, contrary to the light of their knowledge, out of uncharitable or other sinister ends, are causal and formal schismatics. Whereas they who separate actually and locally upon just cause, are no criminous schismatics at all; and they who separate actually without just cause, may do it out of invincible ignorance, and consequently they are not formal 246
but only material schismatics.

Thirdly, when the case comes to be exactly weighed, it is here just as it is in the case of possibility of salvation, that is to say, the very same. Protestants do not charge all Roman

[q] [Surv., c. ix. sect. 1. "Protestants commonly do not charge" &c.]

Catholics with formal schism, but only such as break the bond of unity sinfully, whether it be by separating themselves, or others, unduly from the Catholic communion, or giving just cause of separation to others. Nor doth R. C. himself charge all Protestants with formal schism. For he confesseth, that all those Protestants who err invincibly do 'want neither Church nor salvation[r].' Formal schismatics, whilst they continue formal schismatics, want both Church and salvation; therefore whosoever 'want neither Church nor salvation,' are no formal schismatics.

The reason of his former assertion is this,—because Protestants "can name no Church" out of whose communion the present Church of Rome "departed[s]." His reason shews that he confounds material and formal schism with causal and actual schism. Whereas actual schism may sometimes be only material, and causal schism may also sometimes be formal.

To his reason I give two clear answers.

The present Roman Church departed out of the ancient Roman Church;

First, Protestants can name a particular Church out of whose communion the present Roman Church departed, even the pure and uncorrupted Church of Rome, which was before it, by introducing errors, abuses, and corruptions into it. There is a moral departure out of a Church as well as a local, and acknowledged by themselves to be culpable and criminous schism.

And, which is worse, out of the Catholic Church.

Secondly, that Church which departs out of the communion of the Catholic or Universal Church, is more schismatical than that which departs only out of the communion of a particular Church; both because our obligation is greater to the Catholic Church than to any particular Church, and because the Catholic or Universal Church doth comprehend all particular Churches of one denomination in it. When the Court of Rome by their censures did separate three or four parts of the Christian world, who were as Catholic or more Catholic than themselves, then they departed out of the communion of the Catholic Church, as the Donatists did of old. There is but this difference between the Donatists and them, that the Donatists did it only by their uncharitable

[r] [See Just Vindic., c. vi. vol. i. pp. 198, 199.]

[s] [Surv., c. ix. sect. 1.]

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opinions and verbal censures, but the Court of Rome did it moreover by a solemn juridical decree, which is much the greater degree of schism.

The Romanists true Donatists.

He telleth us, that "it is vain to liken them to the Donatists," because "the Donatists said that the Catholic Church of that time was but a part of the Church (as Protestants say now of the Roman)," for which "Saint Austin laughed at them [t]."

The truth is, the Donatists said, that they being but a small part of the Catholic Church (if any part) were the true Catholic Church, and that the true Catholic Church was no Catholic Church, nor any part of it [u]; which is expressly contrary to what he saith here. Just as the Romanists say now, that they themselves, being with all their dependents not a fourth part of the Christian world, are the Catholic Church; and that the Patriarchate of Constantinople, which is as large as theirs, and the Patriarchate of Alexandria, which, including the seventeen kingdoms of Prester John, all Christians and dependents upon that Patriarchate, is likewise as large, and the Patriarchates of Antioch and Hierusalem, and all the lesser Patriarchates in the East, and the whole Empire of Russia, and all the Protestants in Europe, are no parts of the Catholic Church. Is not this to make the part to be the whole, and the whole to be nothing beyond that part, as the Donatists did? '*Ovum ovo non similius.*' And therefore Saint Austin might well laugh at them or rather pity them, as indeed he did, for speaking such evident absurdities. "*Si mihi diceres quod ego sim Petilianus, non invenirem quomodo te refellerem, nisi aut jocantem riderem, aut insanientem dolerem; . . sed quia jocari te non credo, vides quid restet* [x]"—"If thou shouldest tell me that I am Petilian" (or any such thing that is evidently false), "I should not know how to confute thee, unless I should either laugh at thy folly, or pity thy frenzy; . . but because I believe not that thou jestest, thou seest what remaineth." When they tell us in such earnest, that the

[t] [Ibid., from August.,] Cont. [Litter.] Petilian., lib. ii. c. 38. [§ 91. tom. ix. p. 247. F.]

[u] [August., ibid.; et Lib. de Unit. cc. 16, 17. § 42-44. ibid. pp. 367, 368.]

[x] Ibid. [lib. ii. c. 38, as before quoted. "Quemadmodum te refellerem" &c.]

Roman Church is the Catholic Church, they might even as well tell us that Petilian was Saint Austin. DISCOURSE III.

[SECTION THE SECOND.]

247 Their first objection is, that we have "separated ourselves from the communion of the Catholic Church[y]:" to which I gave this answer, that we had not separated ourselves from the communion of the Catholic Church, for we are ready to believe and practise whatsoever the Catholic Church doth unanimously believe and practise; no, nor yet from the Roman Church in the essentials of Christian religion, or any of them, but only in their errors and innovations: and that it was the Court of Rome that made the separation[y]. [The first objection; viz. that we have separated ourselves from the communion of the Catholic Church.]

To this answer he takes great exception, but as it seemeth to me in a most confused manner. For method' sake I will reduce all which he saith to four heads.

First, that 'the Church of Rome is the true Catholic Church.' Secondly, that 'we have separated ourselves from it in essentials.' Thirdly, that 'all the other Patriarchates (except the Roman) are no parts of the Catholic Church.' Fourthly, that 'we hold no communion with them.'

To all these I have answered formerly in this treatise, and therefore now I shall touch them more lightly.

1. That 'the Roman Church is the Catholic Church,' he proveth thus,—because it is "a company of Christians, . . instituted by Christ, . . spread over the world, and entirely united in the profession of [His] Faith, and communion of His Sacraments under His officers[z]." And therefore he bids us, out of St. Austin, "either give or take[a]," either receive their Church, or shew one of our own as good. 1. The Roman Church not the Catholic Church.

This argument is grounded upon a wrong supposition,—that the Catholic Church is a Church of one denomination, as Roman, or Grecian, &c.; which we do altogether deny as implying an evident contradiction. Secondly, we deny, that the Roman Church, including the Papacy, in respect of

[y] [Just Vindic., c. ix. vol. i. p. 257.—Surv., c. ix.] sect. 1.

[z] [Surv., ibid.]

[a] [Ibid., from August.,] Lib. de Unit., c. vi. [(§ 14. tom. ix. p. 346. C. D).]

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which it challengeth this universality and to be the "foundation of Christian religion" and "the mistress of all other Churches," is instituted by Christ, or by His Church; this is their own usurpation. Thirdly, we deny, that the Roman Church is spread over the world. Divide Christendom into five parts, and in four of them they have very little or nothing to do. Perhaps they have here a monastery, or there a small handful of proselytes. But what are five or six persons to so many millions of Christian souls, that they should be Catholics, and not all the others? This was not the meaning of St. Austin in the place alleged.—"*Date mihi hanc Ecclesiam, si apud vos est; ostendite vos communicare omnibus gentibus, quas jam videmus in hoc Semine benedici. Date hanc, aut furore deposito accipite, non a me, sed ab Illo Ipso in Quo benedicuntur omnes gentes*[b]."—"Give me this Church, if it be with you; shew that you communicate with all nations which we see to be blessed in this Seed." It is not a few particular persons, nor some handfuls of proselytes, but multitudes of Christian nations, that make the Catholic Church. The Romanists are so far from communicating with all these nations, that they excommunicate the far greater part of them. Fourthly, we deny, that such an exact entire union in all points and opinions which are not essentials of Christian religion, is necessary to the being of the Catholic Church; or that the Romanists have a greater unity among themselves or with others, than sundry of those Churches which they have excommunicated. Fifthly, I deny, that the officers of the Court of Rome or any of them (*qua tales*) are either the officers of Christ or of His Church. And, lastly, if all this were true, well might it prove the Church of Rome *a* Catholic Church, that is, a part of the Catholic Church, but not *the* Catholic or Universal Church. Still there would want universality. To be spread through the Christian world is one thing, and to be the common Faith of the Christian world another thing.

2. If denial of the Pope's supremacy maketh

2. Secondly, he proveth, that they did not exclude us, but that we did 'separate ourselves,'—because England 'denied the Pope's sovereignty by Divine right, before the Pope ex-

[b] [August., ibid.]

communicated them;' and so, though it was "not perfectly Protestant, yet it was substantially Protestant[c]."

Protestants, the world is full of Protestants.

I take him at his word. Then all the Eastern, Northern, and Ethiopic Christians are "substantially" Protestants as well as we: for they all deny the Pope's sovereignty either by Divine or human right. Then all the world were "substantially" Protestants in the time of the Councils of Constance and Basle, except the Court of Rome, that is, the Pope and his officers. Then we want not brethren, that are "substantially" Protestants as well as we, in the bosom of the Roman Church at this day. To seek to obtrude this spiritual monarchy upon us, was causal schism; to excommunicate us for denying it, was actual schism.

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Our separation not in essentials.

To prove that we have departed from them 'in essentials,' he only saith, that we have left them "simply, absolutely, nay wholly, in the communion of Sacraments, and public worship of God," and "the entire profession of Faith," which are 'essentials to a Church[d].'

How often hath this been answered already? That every opinion, which a particular Church doth profess to be essential, is either an essential or a truth, or that every abuse crept into the administration of the Sacraments is of the essence of the Sacraments, is that to which we can never give assent. Let them keep themselves to the ancient Creed of the Church, as they are commanded by the Council of Ephesus, and we shall quickly join with them in profession of Faith. Let them use the ancient forms of administration of the Sacraments, which the primitive Roman Church did use, and we shall not forbear their communion in Sacraments. Did the ancient Roman Church want any essentials? Or are the primitive Roman and the present Roman Church divided in essentials? If they differ in essentials, then we ought not to join in communion with the present Church of Rome. If they differ not in essentials, no more do we.

3. The Eastern Churches true parts of the

3. Thirdly, he proveth that 'the other Patriarchates are not the Catholic Church,' nor true parts thereof, because they are 'divided in profession of Faith, in communion of

[c] [Surv., c. ix.] sect. 2.

[d] [Ibid. "in communion, in Sacraments," &c.]

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Sacraments, and in Church-officers.' Yea (saith he), it were "dotage to think that the Catholic Church can consist of heretical and schismatical Churches," as I "cannot deny" but they are, except I "will deny the Thirty-nine Articles of the Church of England to which I have sworn[e]."

I answer, that those Churches which he is pleased to undervalue so much, do agree better both among themselves and with other Churches, than the Roman Church itself; both in profession of Faith, for they and we do generally acknowledge the same ancient Creeds and no other, and in inferior questions, being free from the intricate and perplexed difficulties of the Roman schools. In point of discipline they have no complaint against them, saving that they and we do unanimously refuse to acknowledge the spiritual monarchy of the Roman Bishop. And concerning the administration of the Sacraments, I know no objection of any great moment which they produce against them. How should they, when the Pope allowed the Russians the exercise of the Greek religion[f]? It is true, that they use many rites which we forbear; but difference in rites is no breach of communion, nor needeth to be, for any thing that I know, if distance of place and difference of language were not a greater impediment to our actual communion, so long as the Sacraments are not mutilated, nor sinful duties enjoined, nor an unknown tongue purposely used. How are they then "schismatical" Churches? Only because they deny the Pope's supremacy. Or how are they "heretical" Churches? Some of them are called Nestorians, but most injuriously, who have nothing of Nestorius but the name. Others have been suspected of Eutychianism, and yet [are] in truth orthodox enough. They do not add the word *"Filioque"*—"and from the Son" to the Creed, and yet they acknowledge that the Holy Ghost is the Spirit of the Son, which is the very same thing in sense[g]. It is no new thing for great quarrels to arise from mere mistakes. He would persuade the world, that there is something in our English Articles which reflects sadly upon the Greek Church, to declare them guilty of heresy or schism. Either he is de-

[e] [Ibid., sect. 1.]
[f] [See above c. ii. sect. 6. p. 85. note k.]
[g] [See above c. i. sect. 1. pp. 61, 62. c. ii. sect. 6. pp. 85, 86.]

ceived himself, or he would deceive others. There is no such thing, nor the least insinuation against them, either directly or by consequence. But he is fallible, and may err in this, as well as he doth in saying that I "have been sworn to them." We do use to *subscribe* unto them indeed, not as articles of Faith, but as theological verities, for the preservation of unity among ourselves; but never any son of the Church of England was obliged to swear unto them, or punished for dissenting from them in his judgment, so he did not publish it by word or writing.

SECTION THE THIRD.

[The second objection; viz. that we schismatically disobey the Council of Trent.]

Secondly, they charge us with schismatical disobedience
249 to the determinations of the general Council of Trent. To which I answered, that that Council was neither general, nor free, nor lawful[h].

1. The Council of Trent not general:

1. First, not general,—because there was not one Bishop present out of all the other Patriarchates, and but a part of the Occidental Church; secondly, of those who were present, two parts were Italians, and many of them the Pope's pensioners; thirdly, at the definition of some of the weightiest controversies, there were not so many Bishops as the king of England could have called together in a month within his own realms; fourthly, it was not generally received by the Romanists[i].

To this he answers, that "there were some Grecian Bishops[k]" there. Perhaps one or two titular Bishops without Bishoprics, not empowered by commission, nor sent with instructions from any Patriarch. These were no Grecian Bishops. He addeth, that "it is not necessary" to summon "heretical or schismatical" Bishops[l]. Yes, the rather, before they be lawfully condemned; as these never were. Besides, this is begging of the question. When or where were they convicted of heresy or schism? This is but the opinion of the lesser and unsounder part of the Church, against the

[h] [Just Vindic., c. ix. vol. i. pp. 257—259.]
[i] [Ibid., p. 258.]
[k] [Surv., c. ix. sect. 3.]
[l] [Ibid.]

PART I. greater and sounder part. Upon this ground the Donatists might have called a Council in Afric, and nick-named it a general Council. He saith, "it is obeyed by all Catholics for matters of Faith," though not for "matters of fact[m]." He meaneth, by all *Roman* Catholics. But if it were the supreme tribunal of the militant Church, it ought to be obeyed for "matters of fact" also, so far as they are ecclesiastical. Break ice in one place and it will crack in more. He saith, Pius the Fourth sent "most loving letters" to Queen Elizabeth, but his messenger "was not admitted into England[n]." As we have in horror the treacherous and tyrannical proceedings of Paul the Third and Pius the Fifth against our princes and realms, so we acknowledge with gratitude the civilities of Pius the Fourth. Certainly he took the more prudent way for a Christian prelate.

2. Nor free: 2. Secondly, the Council of Trent was not free:—first, because "the place afforded no security" to Protestants; secondly, "the accuser was the judge;" thirdly, any one "who spake a free word," was either silenced or thrust out of the Council; fourthly, the Protestants who came on purpose to dispute, "were not admitted;" fifthly, "the legates 'gave auricular votes,'" and some of the Council did not stick to confess, that it was guided by "the Holy Ghost sent from Rome in a mail;" sixthly, "new Bishoprics were created during the session, to make the Papalins able to overvote the Tramontanes[o]."

To all these exceptions he answereth, that if the Pope had been their judge, "it had been no more unjust, than for a king to judge" his own "notorious rebels;" but the Pope, out of his abundant "favour," made the Council their judge, which he needed not, their heresies having been formerly "lawfully condemned[p]." He supposeth, without any proof, that the Pope is an absolute monarch of the Church, which all the Christian world except themselves doth deny. He should remember, that these are their own objections, and that he is now to prove, not to dictate. Whether the Pope

[m] [Ibid., p. 115.]

[n] [Ibid., from Camd., Annal. Eliz., in an. 1561. (an. 1560. P. i. p. 47. ed. 1639). "Literis blandissimis." Camd. merely says that Parpalia did not succeed.]

[o] [Just Vindic., c. ix. vol. i. pp. 258, 259.]

[p] [Surv., c. ix. sect. 3. p. 116.]

did judge the Protestants by himself, or by a Council consisting for the most part of his own clients and creatures, who knew no motion but by his influence, is all one in effect. He knew, that he had made his game sure enough underhand, whilst the Italian Episcopals were so numerous and partial. If the Pope did rather choose to refer the Protestants to the Council, it was not out of "favour" to them, as a more equal and indifferent way, but to take the envy off from himself. If Christian princes desire to have a free Council, they must reduce it to the form of the Council of Constance, and revive the 'Deputies of the Nations.' Whereas he saith, that the Protestants were formerly "lawfully condemned," either they were strange phantasms of Protestants, or it was a strange prophetical decree. Lastly, he demands, "how I can say that it was not a free" Council, "where two or three safe conducts were granted," where "the Council bound itself to determine" the controversy "by Holy Scripture, Apostolical tradition, approved Councils, consent of the Catholic Church, and authority of Holy Fathers[q]?" Yes, I can say well enough for all this, that the Council was not free. Discourse III.

"Fistula dulce canit volucrem dum decipit auceps"—

"the pipe plays sweetly whilst the fowler is about his prey[r]." 'No man,' saith Tully[s], 'proclaimeth in the market that he hath rotten wares to sell.' When men intend most to play tricks, they do often strip up their sleeves, to make a shew of upright dealing. Scriptures, Tradition, Councils, Fathers, Churches, are excellent rules beyond exception, yet an inexpert or partial artist may make a crooked line with them. Any one of these proofs would satisfy us abundantly, but this was a mere empty flourish. The Protestants had safe conduct granted, but yet those that repaired to the Council were not admitted to dispute.

3. Thirdly, as the Council of Trent was not a general nor a free Council, so neither was it a lawful Council:—first, because it was not in Germany; "a guilty person is to be judged in his own province;" secondly, because the Pope alone by himself or his ministers acted all the four parts of 3. Nor lawful.

[q] [Ibid., p. 115.]
[r] [Dionys. Caton. Distich., lib. i. dist. 27.]
[s] [See De Offic., lib. iii. c. 13.]

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accuser, witness, guilty person, and judge; thirdly, because the Protestants were condemned before they were heard[t].

To this he answereth, first, that 'Trent is in Germany[u]:' wherein he is much mistaken. For proof whereof I produce, first, the public protestation of the German Protestants,—that to 'promise a Council in Germany and to choose Trent was to mock the world,' that Trent "cannot be said to be in Germany, but only because the Bishop is a Prince of the Empire, otherwise that for security it is as well and as much in Italy and in the Pope's power as Rome itself[x];" to which the Pope himself giveth testimony in his answer to the "Cardinal, Bishop, and Lord of Trent," when he desired maintenance for a garrison from the Pope to secure the Council, that "there was no fear so long as none but Italians were in Trent," and engageth himself to secure it[y]. The grievances which they complained of were done in Germany, the redress which they sought was in Germany. Germany, not Italy, had been the proper place for the Council.

[Protestants not in notorious rebellion.]

R. C. proceedeth, 'the Protestants were the first accusers of the Pope[z].' It may be so, but not in a legal or judiciary way. He confesseth, that "in doubtful cases" there "ought to be four distinct persons, the accuser, the witness, the person accused, and the judge," but "not in notorious rebellion," in which case "there needs neither witness nor accuser[a]." And doth not this merit the reputation of a "doubtful case," wherein so great a part of the Occidental Church are engaged? who are ready to prove evidently, that he who is their accuser, and usurps the office of their judge, is the notorious rebel himself. I confess, that in some cases the notoriety of the fact may supply the defect of witnesses; but that must evermore be in cases formerly defined by the law to be rebellion, or heresy, or the like. The Pope's rebellion hath been already condemned in the Council of Constance, and his heretical maintaining of it in the Council of Basle; but the Protestants' renouncing of his usurped authority hath never yet been lawfully defined to be either the one or the other.

[t] [Just Vindic., c. ix. vol. i. p. 259.]
[u] [Surv., c. ix. sect. 3. p. 117.]
[x] [Pad. Paolo,] Hist. Concil. Trident., lib. ii. an. 1545. [p. 99.]
[y] [Ibid., p. 91.]
[z] [Surv., c. ix. sect. 3. p. 117.]
[a] [Ibid.]

Yet he saith, the Protestants "were condemned not only by the Council of Trent, but by the Patriarch of Constantinople, to whom they appealed[b]." Discourse III. The Protestants not condemned by the Patriarch of Constantinople, but the Romanists.

One that readeth this and knoweth not otherwise, would believe, that the Protestants in general had appealed from the Council of Trent and were juridically condemned by the Patriarch of Constantinople. Who gave the appellants procuration to appeal in the name of the Protestants in general? Who gave the Patriarch of Constantinople power to receive the appeal? Where is the condemnation? Is the English Church included therein? No such thing. The case was this. One or two foreign particular Protestants made a representation to the Patriarch of Constantinople, of some controversies then on foot between the Church of Rome and them, and he delivered his opinion, it should seem, as R. C. conceiveth, more to the advantage of the Romanists than of the Protestants[c]. This he calleth an appeal and a condemnation. I crave pardon of the reader, if I do not in present give him a punctual and particular account of the Patriarch's answer. It is thirty years since I see it; neither do I know how to procure it. Thus far I will charge my memory, that the questions were ill chosen and worse stated, and the Patriarch's answer much more to the prejudice of the Church of Rome than of the Church of England. The right stating of the question is all in all. When the Church of England have any occasion to make their addresses that way, they will make them more apposite, and more to the purpose.

251 But since he hath appealed to the Patriarch of Constantinople, to the Patriarch of Constantinople let him go. I mean Cyrillus, since the time of Hieremy, whom that learned gentleman Sir Thomas Roe, then ambassador for our late king at Constantinople, had better informed of the true state and belief of the English Church[d]. He published a treatise of his own, much about the year 1630, which he [Cyril Lucarn.]

[b] [Ibid., pp. 117, 118.]

[c] [For the intercourse of Melancthon and of the divines of Tubingen with the Patriarchs of Constantinople, Joseph and Jeremiah, in 1559 and 1576-81, see the authorities quoted by Mosheim, Eccles. Hist. cent. xvi. sect. iii. c. 2. § 7.]

[d] [See Aymon, Monum. Authent. de la Religion des Grecs, for a full account of Cyril (and for his connection with Sir Thos. Roe, ibid. p. 35); and his Life by Smith, Miscellan., P. ii. pp. 49, &c. His "Confession" was printed in Greek and Latin at Geneva in 1633, and again with a condemnation of it by two Grecian synods in 1645. It is dated in 1630, and the Answers appended to it in 1631.]

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called "Ὁμολογία τῆς Χριστιανικῆς πίστεως," or a "Confession of the Christian Faith," so conformable to the grounds of the Church of England, that it might seem rather to have been written by the Primate of Canterbury than by the Patriarch of Constantinople. I will cull out a few flowers and make a posy for him, to let him see whether the Patriarchs of Constantinople do condemn the Church of England or the Church of Rome. In the second chapter he declareth, that "the authority of the Scripture is above the authority of the Church,"—"Οὐ γάρ ἐστὶν ἴσον," &c.—"for it is not equal" (or alike) "to be taught of the Holy Ghost and to be taught of man[e]." In his tenth chapter he declareth, that "Θνητὸς ἄνθρωπος"—"mortal man can by no means be the Head of the Church," and that "our Lord Jesus Christ alone is the Head of it[f]." In the thirteenth chapter he asserteth justification by Faith alone[g], just according to the doctrine of the Church of England. In the fifteenth chapter he acknowledgeth but two Sacraments[h]. In the seventeenth chapter he professeth a "true real Presence of Christ the Lord" in the Eucharist, just as we do; and rejecteth the new "device of Transubstantiation[i]." In the eighteenth chapter he disclaimeth Purgatory, &c.[k] All this he declareth to be the Faith, "which Christ taught, the Apostles preached, and the orthodox Church ever held;" and undertaketh to make it good to the world[l]. And after, in his answer to some questions which were proposed to him, he excludeth the Apocryphal books out of the Canon of Holy Scripture, and condemneth the worship of Images[m]. In a word, he is wholly ours. And to declare to the world that he was so, he resolved to dedicate his Confession of the Faith of the Greek Church to the King of England[n].

["μαρτυρίαν"]

["ἀληθῆ καὶ βεβαίαν παρουσίαν"]

When this treatise was first published, it is no marvel, if the Court of Rome and the Congregation for Propagating of the Roman Faith in Greece did storm at it, and use their uttermost endeavour to ruin him. But he justified it before

[e] Κυρίλλου Ὁμολογία, [κεφ.] β. [pp. 13, 14. ed. 1645.]
[f] [Id. ibid., κεφ. ι. p. 24.]
[g] [Id., ibid., κεφ. ιγ. pp. 28-30.]
[h] [Id., ibid., κεφ. ιε. p. 34.]
[i] [Id., ibid., κεφ. ιξ. p. 38.]
[k] [Id., ibid, κεφ. ιη. pp. 42, 44.]
[l] [Id., ibid. in Conclus. p. 46.]
[m] [Id., ibid. Respons. ad Interr. iii. p. 54; et ad Interr. iv. pp. 56, 58.]
[n] Knolles, Turk. Hist., in the life of Amurath IV., p. [1492. ed. 1638.]

the ambassadors of Roman-Catholic princes then remaining at Constantinople, and came off fairly, in despite of all those who did calumniate him and cast false aspersions upon him. Besides his own autograph, and the testimonies of the ambassadors then present, if there had been nothing else to justify this truth, the instructions, given by Cardinal Bandini to Cannachi Rossi in the name of the Pope, alone had been sufficient proof, and the plots which they contrived against him, either to have him taken away by death or deposition: for at the same time they decried the treatise here as supposititious, and accused him there as criminous, for being the author of it. But God delivered him out of their hands[o].

He pleadeth moreover, that the Bishops assembled in Trent were not "the Pope's ministers[p]." [The Bishops at Trent the Pope's ministers.]

Yet he knoweth right well, that they had all taken an oath of obedience to the Pope for maintenance of the Papacy. Were these equal judges? I confess there were many noble souls amongst them, who did limit their oath according to the canons of the Church[q]. But they could do nothing, being over-voted by the Pope's clients and pensioners.

He asketh, "who were the accusers, witnesses, and judges of the Pope in the parliament 1534," but "King Henry himself and his ministers[r]?" [The English Parliament of 1534 not Henry VIII.'s ministers.]

I answer, that they were not King Henry's ministers, but the trustees of the kingdom; they were not sworn to maintain King Henry's usurpations; they acted not by a judiciary, but by a legislative power; neither did they make any new law, but only declare the ancient law of the land. Otherwise they meddled not with the person of the Pope or his office. If Luther proceeded not in form of law against the Pope, it is no marvel. I remember no process in law that was between them. He challenged only '*verbum informans*,' not '*virgam reformantem*.' Do you think, that if he or any other had cited the Pope to have appeared in Germany or England, he would have obeyed the summons? 252 They might as well have called again yesterday. Howsoever, Luther's acts concern not us.

[o] [Id.,] ibid., pp. [1487, &c.]

[p] [Surv., c. ix. sect. 3. p. 118.]

[q] [See Pad. Paolo, Hist. du Conc. de Trente, par Couray., liv. viii. § 22. an. 1563.]

[r] [Surv., c. ix. sect. 3. pp. 118, 119.]

SECTION THE FOURTH.

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Why R. C. not willing to argue of [the third objection, concerning] the Pope's Patriarchal power.

Their third objection is, that we have quitted our lawful Patriarch, which argument he saith he "will omit, because we have spoken enough of that before[s]."

Either I am mistaken, or this is a fallacy of 'no cause for a cause.' The true cause why he omitteth it being not, "because we have spoken enough" of it (for he hath continually declined it), but rather because he seeth that it is incompatible with that sovereignty and universality of power which the Roman Bishops do challenge at this day. Let them lose the substance, whilst they catch at the shadow.

[The objection which he proposeth in its place already answered.]

But in the place of this he proposeth another objection, which he calleth their "most forcible argument against us[t];" which in brief is this,—'No Church is to be left in which salvation is to be had, but we confess that the Roman Church is a true Church in substance, the true Church[u],' &c.

I cannot but observe what difference there is in the judgments of men, for of all their objections I take this to be the weakest. And so would he also, if he would cease to confound *the* Catholic Church with *a* Catholic Church, that is, the universal Church with a particular Church, and distinguish the essentials of a Church from the corruptions of a Church, and make a difference between a just reformation of ourselves and a causeless separation from others. But be the argument what it will, forcible or weak, it hath been answered abundantly in this treatise over and over again[x]. And therefore, though he pleased (I use his own expressions) to "say it often," to "repeat it often," to "inculcate" it; yet I dare not abuse the patience of the reader with so many needless tautologies.

[His other books.]

He taxeth me for not answering some testimonies which he hath collected in a book of his, called the Protestants' Plain Confession, which he saith I "have read," and therefore I "ought not to have dissembled" them, but "perhaps I thought them too hard to be answered[y]."

I confess I have read some of his books formerly, but I

[s] [Ibid., sect. 4. p. 120.]
[t] [Ibid.]
[u] [Ibid. pp. 120—123.]
[x] Answer to the Pref., sect. [3. § 4. pp. 37—40.]—c. i. sect. 1. [pp. 52—60.]
[y] [Surv., c. ix. sect. 4. p. 121.]

deny that I have one of them in present. If I had, doth he think it reasonable, or indeed possible, that in one chapter I should take notice of all that hath been written upon this subject. I confess I have answered many impertinences in this treatise, but a man would not willingly go so far out of his way to seek an impertinence. When I did read some of his treatises, I pitied the misspending of so much time, in weeding and wresting of authors, of several Reformations, who writ in the beginning of the controversy between sleeping and waking. Sometimes he condemneth us of schism for communicating with them; some other times he citeth them as our classical authors; and at other times, from the different opinions of the sons of the same Church he impugneth the conclusion wherein they do all accord. As if I should argue thus:—If the Bread be transubstantiated into the Body of Christ, it is either by production or adduction; but such and such Roman-Catholic authors do deny that it is by production, and such and such other Roman-Catholic authors do deny that it is by adduction; therefore, by the plain confession of Roman-Catholics, there is no Transubstantiation. If I had omitted any testimonies of weight cited by him in this treatise, as he hath done the most of all my grounds, then with better reason he might have called it "dissembling."

He seemeth to me to take this course, only to make his credulous reader believe that there is more in his books than there is. It is the Church of England which he hath undertaken to combat. Let him not leave his chosen province to seek out petty adversaries among strangers, and think to wound the Church of England through their sides. He needeth not to be so much abroad, whilst he may have enough to do at home.

The Church of Rome St. Peter's Boat, not Noah's Ark.

He urgeth, that "there is no salvation out of the Church, no more than there was out of the Ark of Noah, howsoever or for whatsoever one went out[z]."

That Noah's Ark was a figure of Baptism, St. Peter doth assure us: and it may also very fitly represent the Church; but that is the Catholic or Universal Church, and then we yield the conclusion, that there is no salvation out of the [1] Pet. iii. 20, [21.]

[z] [Ibid., p. 122. For "howsoever" read "whosoever."]

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Church. But particular Churches are like several chambers or partitions within the Ark of Noah. A man might go out of one of them, until it was cleansed, into another without any danger. The Church of Rome is not Noah's Ark but St. Peter's Boat. The rest of the Apostles had their boats as 253
well as St. Peter. He beateth but the air in citing St. Austin[a] and St. Hierome[b] against us, who have neither left the Church nor the communion of the Church.

Our charity freeth us from schism.

He maketh our Church to be in worse condition than the Church of the Donatists, because "Protestants grant" that the Church of Rome doth still retain 'the essence of a true Church,' but the Donatists did deny that the Catholic "Church of their time was a true Church[c]."

Doth he not see, that he argueth altogether against himself? The schism of the Donatists consisted therein, that they did uncharitably censure the Catholic Church to have lost the essence of the Church; this was indeed to go schismatically out of the communion of the Church: and on the other side this is our safety and security, that we are so far from censuring the Catholic Church, that we do not censure the Roman Church, which is but a particular Church, to be no Church, or to have lost its communion with Christ, nor have separated from it in any essential of Christian religion, but only in corruptions and innovations. Our charity freeth us from schism; the uncharitableness of the Donatists rendered them schismatics. It may be a good lesson for the Romanists, who tread too much in the steps of the Donatists.

[Testimonies of Calvin and others discussed.]

What Calvin saith,—that God "accounteth him a forsaker of his religion, who obstinately separateth himself from any Christian society, which keepeth the true ministry of the Word and Sacraments[d];" or, that "there may some vice creep . . . into the ministry of the Word and Sacraments, which ought not to alienate us from the communion" of a true Church[e]; or, lastly, that "we must pardon errors in

[a] [De Baptism., lib. i. c. 8. (§ 10. tom. ix. pp. 85, E. 86 A.), cited by R. C., ibid.]

[b] [Epist. 57. (editt. before Bened.—14. Ad Damasum, Op. tom. iv. P. ii. p. 19. ed. Bened.), cited by R. C., ibid.]

[c] [Surv., c. ix. sect. 4. p. 123.]

[d] Calv., Institut., lib. iv. c. 1. [(§ 10. Op. tom. ix. p. 273, b. ed. Amst. 1667); quoted by R. C., Surv., c. ix. sect. 4. p. 124.]

[e] [Id., ibid. § 12. (ibid. p. 273, b.), quoted by R. C., ibid. p. 125.]

those things which may be unknown without violating the sum of religion, or without loss of salvation," or "we shall have no Church at all [f]"—doth not concern us, who do not dream of an anabaptistical perfection, and upon this very ground do admit them to be a true Church, though imperfect; who have not separated ourselves, but been chased away; who have only forsaken errors, not Churches, much less obstinately, and least of all in essentials; who would gladly be contented to wink at small faults, so they would not obtrude sinful duties upon us as a condition of their communion.

The same answer we give to Perkins [g] and Zanchy [h], cited only in the margin; whose scope is far enough from going about to persuade us that we ought not to separate from the Church of Rome, for which they are cited by him. Rather on the contrary, if they or any of them have been over rigorous towards the Church of Rome, and allow it not the essence of a Church, what doth that concern the Church of England? Will he blame us for being more moderate? Trust me, these authors were far from extenuating the errors of Popery.

He telleth us, that they say unto us "as St. Austin said unto the Donatists, 'If ours be religion, yours is separation [i].'"

They may rehearse the same words indeed; but neither is Saint Austin's case their case, nor the Donatists' case our case. Sometimes they cry down our religion as a negative religion, as faulty in the defect. And now they accuse us of superstition in the excess. We approve no Church, with which they communicate, and we do not.

Doctor Field "saith, that, 'if they can prove the Roman Church to be the Church, they need not use any other argument [k].'"

is most certain. We all say the same. But still he

[f] [Id., ibid. § 16. (§ 12. ibid. p. 274, a.), quoted by R. C., ibid.]

[g] [In Symbol. (Expos. of the Creed, Art. on the Church; Works, vol. i. p. 307. B—D. ed. 1616),—Reform. Cathol. (ibid. pp. 616, &c.; arguing that we should separate from Rome on account of her *fundamental* errors); quoted by R. C., ibid.]

[h] [De Eccles., § 7. (in lib. de Relig. c. xxiii. Op. tom. viii. p. 534. ed. 1605; of the Unity of the Ch.); cited by R. C., ibid.]

[i] [Surv., ibid., p. 126. For "separation" read "superstition."]

[k] [Ibid., from Field, Of the Church, lib. iii. c. 47. (p. 174. ed. 1628).]

PART I. confoundeth *the* Church, that is, the universal Church, with *a* Church, that is, a particular Church, and a metaphysically true Church with a morally true Church. Why doth he cite authors so wide from that which he knoweth to be their sense?

SECTION THE FIFTH.

[This section mere repetition.] In this section there is nothing but '*crambe bis cocta*,' a repetition of what he hath formerly said over and over, of Protestants separating themselves from the whole Christian world in communion of Sacraments. Only he addeth the authorities of Master Calvin, Doctor Potter, and Master Chillingworth, which have already been fully answered [l].

SECTION THE SIXTH.

Our ordination justified. He saith, I "endeavour to prove the lawful ordination of our first Bishops in Queen Elizabeth's time by the testimony of public registers and confession of Father Oldcorn [m]."

He knoweth better if he please,—that the first Protestant Bishops were not in Queen Elizabeth's time, but in Edward 254
the Sixth's time. If they were not Protestants, they did them the more wrong to burn them for it. The ecclesiastical registers do make their ordination so plain, that no man who will but open his eyes can be in doubt of it.

[Father Oldcorn's testimony.] He confesseth, that Father Oldcorn did "say our registers were authentical [n]."

So must every one say or think that seeth them, and every one is free to see them that will.

But Father Oldcorn was a prisoner, and "judged others by himself [o]."

Yet neither his imprisonment nor his charity did make him swerve in any other point from his Roman-Catholic opinions. Why did he change in this more than in any of the rest? Because there is no defence against a flail, no

[l] Supra, c. i. sect. 1. [pp. 62—68.]
[m] [Surv., c. ix. sect. 6. p. 131. See Just Vindic., c. ix. vol. i. pp. 270, 271.]
[n] [Surv. ibid., p. 132.]
[o] [Ibid.]

resisting evident demonstration, which doth not persuade but compel men to believe.

[The public registers.]

But "wherefore were not these registers shewed before King James his time [p]."

They were always shewed to every man that desired to see them. Registers are public records, the sight whereof can be refused to no man. The officer's hand is known; the office is secured from all supposititious writings, both by the oath and by the honesty of him that keepeth the register, and by the testimony of all others, who view the records from time to time. He might as well ask why a proclamation is not shewed; which is first publicly promulged, and after that affixed to the gates of the city, and of the common-hall, and all other public places. If he could have excepted against the persons, either consecrators or consecrated, as that there were not such persons, or not so qualified, or not present at that time, he had had some reason for himself. But Episcopal ordination in England was too solemn and too public an act to be counterfeited. And moreover the proceedings were published in print, to the view of the world, whilst there were very many living who were eye-witnesses of the ordination.

And yet, by his favour, if there had not been so many Protestant Bishops there as there were, it might have made the ordination illegal, but not invalid; for which I will give him a precedent and a witness beyond exception. The precedent is Austin, the first converter of the English; the witness St. Gregory. "*Et quidem in Anglorum Ecclesia,*" &c.—"And truly, in the English Church, wherein there is no other Bishop but thyself, thou canst not ordain a Bishop otherwise than alone," &c.; "but when, by the grace of God, Bishops are ordained throughout all places, ordination ought not to be made without three or four Bishops [q]."

[Why not alleged by Jewel and Horne.]

He asketh, 'why Bishop Jewel or Bishop Horne did not allege these registers, when they were charged by Dr. Harding and Dr. Stapleton to be no consecrated Bishops [r]?'

[p] [Ibid., p. 131.]

[q] Greg., Respons. ad Interrog. 8. vam August. [ap. Spelm., Concil., tom. i. p. 98.]

[r] [Surv., c. ix. sect. 6. pp. 131, 132. See Harding, Confut. of Apology, Pt. ii. c. 5. pp. 56—60. Antverp. 1565, and Jewel, Defense of Apol., Pt. ii. c. 5. divis. 1. init.—Stapleton, Replic. ad Horni Flatum, Præfat. ad Lector., Op.

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I might even as well ask him, when he citeth an authority out of St. Austin, why such or such an author, that writ before him upon that subject, did not cite it; and thereupon conclude that it was counterfeit. An argument from authority negatively is worth nothing. Perhaps, for I can but guess until he cite the places, Dr. Stapleton or Harding did not except against the number or qualification of the ordainers, but against the matter or form of their Episcopal ordination. Perhaps, judging them to be heretics, they thought they had lost their character; which yet he himself will acknowledge to be indelible. Perhaps the accusation was general against all Protestants, and they gave a general answer. Perhaps they were better versed in the schools than in records. Or, lastly, perhaps, or indeed without perhaps, they insisted upon the illegality of their ordination in respect of the laws of England, not upon the invalidity of it, as shall clearly appear in my next answer. In all these cases there was no occasion to allege the registers.

[Why not produced against Bonner.]

"Why were they not shewed" (saith he), "when Bishop Bonner excepted against the said Horne at the bar? . . . What need had the Bishops to desire that their ordination should be judged sufficient by Parliament eight years after[s]?"

Now let him take one answer for all. There was an Act passed for authorizing the Book of Common Prayer, and the Book of Ordination as an appendix to it, to be used throughout England, in the reign of Edward the Sixth. This Act was repealed in the time of Queen Mary; and afterwards revived by Queen Elizabeth as to the Book of Common Prayer, intending but not expressly mentioning the Book of Ordination, which was an appendix to it. So it was restored 255
again, either expressly under the name of the Book of Common Prayer, as containing the public prayers of the Church for that occasion, or at least implicitly, as being printed in the Book of Common Prayer from the beginning as an appendix to it. Upon this pretended omission Bishop Bonner excepts against Bishop Horne's ordination, not against the validity of it (what have Parliaments to do with

tom. ii. pp. 828, 829. Paris. 1620. Bramhall's last conjecture is correct in the case of the latter; his first, second, and third, in that of the former.]

[s] [Surv., ibid. p. 132.]

the essentials of ordination?), but against the legality of it as to the realm of England, by reason of the former pretended omission. So, to take away scruple, the Parliament enacted that it should be deemed good in the eye of our English law[t]. The Parliament knew well, that they had no power to make that ordination valid in itself which was invalid in itself, nor to make that invalid which was valid. This had been to alter the essentials of ordination. But they had power, for more 'abundant caution,' which 'never doth hurt,' to take away that scruple which was occasioned by a statute of Queen Mary, which in truth was sufficiently removed before. What is this now to our registers, whether they be authentic or not? No, we beg no help from any civil acts or sanctions to maintain our ordinations, either for matter or form. But we are ready to justify them by those very rules, which he saith the Council of Trent offered to the Protestants, namely Scripture, Tradition, Councils, Fathers, and especially the practice of the Catholic Church[u]. Discourse III.

But he saith, we are not "ordered to offer true substantial Sacrifice[x]." [Of the omission to mention Sacrifice in our ordination.]

Not expressly indeed. No more were they themselves for eight hundred years after Christ, and God knows how much longer. No more are the Greek Church, or any other Christian Church in the world (except the Roman), at this day. Yet they acknowledge them to be rightly ordained, and admit them to exercise all offices of their priestly function in Rome itself; which was alleged by me in the Vindication[y]; and is passed over in silence by R. C. in this Survey. The Greeks have no more mention of a sacrifice in their ordination than we;—"The grace of God promotes such a venerable deacon to be a presbyter[z];"—yet the Church of Rome approveth their ordination and all their other rites, so they will but only submit to the Pope's spiritual monarchy: as we have seen in the case of the Patriarch of Muzal, and the Russians subject to the Crown of Polonia[a]; and the like favour was offered to Queen Elizabeth, upon the same condition[a]. It is not so long since "Pope Gregory erected a Greek College at Rome

[t] [See the Consecrat. and Success. of Protestant Bishops justified, &c. c. v. (pp. 452, 453. fol. edit.), Disc. v. Pt. i.]
[u] [See above, sect. 3. p. 263. note q.]
[x] [Surv., c. ix. sect. 6. p. 133.]
[y] [Just Vindic., c. ix. vol. i. p. 271.]
[z] [Ibid.]
[a] [See above c. ii. sect. 6. p. 85.]

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to breed up the youth of that nation, where they have liberty of all the Greekish rites, only acknowledging the supremacy of the Pope [b]."

No difference about Sacrifice if rightly understood.

But though we have not express words for offering of Sacrifice, nor the tradition of the Patine and the Chalice (no more had their own ancestors for a thousand years), yet we have these words, "Receive the Holy Ghost; . . Whose sins thou dost remit, they are remitted," &c. "Be thou a faithful dispenser of the Word and Sacraments [c];" than which the Scriptures and Fathers did never know more; which their own doctors have justified as comprehending all essentials; which, being jointly considered, do include all power necessary for the exercise of the pastoral office. We acknowledge an Eucharistical Sacrifice of praise and thanksgiving; a commemorative Sacrifice, or a memorial of the Sacrifice of the Cross; a representative Sacrifice, or a representation of the Passion of Christ before the eyes of His Heavenly Father; an impetrative Sacrifice, or an impetration of the fruit and benefit of His Passion, by way of real prayer; and, lastly, an applicative Sacrifice, or an application of His merits unto our souls. Let him, that dare, go one step further than we do; and say that it is a suppletory Sacrifice, to supply the defects of the Sacrifice of the Cross [d]. Or else let them hold their peace, and speak no more against us in this point of Sacrifice for ever.

Yet in his margin he hath placed a cloud of our doctors, Whitaker [e], Morton [f], Chillingworth [g], Potter [h], Fulke [i], Reynolds [k], Latimer [l], without citing a syllable of what they say, saving only Latimer and Reynolds—that "the name of Priest importeth Sacrifice" or "hath relation to Sacrifice [m]." In good

[b] Continuation of the Turk. Hist., [by Knolles,] in the life of Amurath IV. [p. 1485.]

[c] [Ordination Service.]

[d] [See the Answer to La Millet., (vol. i. pp. 54, 55), Disc. i. Pt. i; and above c. ii. sect. 7. p. 88.]

[e] [Controv. ii. Qu. (6.) c. 3. (p. 567); cited by R. C., Surv., ibid. c. ix. sect. 6. p. 132.]

[f] [De Missâ, lib. iv. c. 1. (nothing to the purpose; and see lib. vi. c. 3. § 8); cited by R. C., ibid.]

[g] [(Relig. of Protest.,) c. ii. p. 52. (§ 1); cited by R. C., ibid.]

[h] [(Answ. to Knott's Charity Mistaken,) p. 72. (not a word to the purpose); cited by R. C., ibid.]

[i] [(Annot. on Rhem. Testam.,) Hebrews, c. v. (v. 1; unfairly cited); cited by R. C., ibid.]

[k] [Conference with Hart, (c. viii. sect. 4. p. 316. Latin transl. Oxon. 1610); referred to by R. C., ibid.]

[l] [In Foxe, Acts and Mon. (bk. x. vol. iii. p. 67), cited by R. C., ibid.]

[m] [Surv., c. ix. sect. 6. p. 133, from Latimer and Reynolds as above quoted.]

time; to do him a courtesy we will suppose that all the rest say as much. Such Sacrifice, such Priest. Let the reader learn not to fear dumb shows. There is nothing which any of these say which will either advantage his cause or prejudice ours.

SECTION THE SEVENTH.

256 Here he professeth to "omit the survey of my last chapter[n];" yet, because he toucheth some things in it upon the by, I am obliged to attend his motion. [Of the last chapter in the Vindication.]

First, I wonder why he should term us "fugitives[o]." If we be "fugitives," what is he himself? No, we are '*exules*'—excluded out of our country, not '*profugi*'—fugitives of our own accord from our country. And we hope, that he, who "goeth on his way weeping, and beareth forth good seed, shall return with joy and bring his sheaves with him." If not, God will provide a resting place for us, either under Heaven or in Heaven. "We praise Thee, O God, we acknowledge Thee to be the Lord." [Ps. cxxvi. 7.]

In the conclusion of my treatise I proposed three ready means for the uniting of all Christian Churches, which seemed to me very reasonable. One of them was, that—whereas some sects have contracted the Christian Faith over much, by reviving some heresies condemned by the primitive Church; and, on the other side, the Church of Rome had enlarged the Christian Faith over much, by making or declaring new articles of Faith in this last age of the world;—the Creed or Belief of the Church, containing all points of Faith necessary to be known of all Christians, should be reduced to what it was in the time of the first four general Councils (I might add, and many ages after). No man dare say, that the Faith of the primitive Fathers was imperfect or insufficient[p]. [Of one of the means there proposed for the uniting of all Christian Churches.]

Against this he maketh three objections,—

First, that "there are no such fundamental points of Faith as Protestants imagine, . . . sufficient to salvation, though There are fundamentals.

[n] [Ibid., sect. 7. p. 134.]
[o] [Ibid.]
[p] [Just Vindic., c. x. vol. i. p. 279.]

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other points of Faith sufficiently proposed be not believed[q]."

This objection is compounded of truth and falsehood. That there are such fundamentals, he himself confesseth elsewhere, which are necessary not only '*necessitate præcepti*' but '*necessitate medii*;' and if he did not confess it, the authority of the Apostle would evince it. That the belief of these alone is sufficient for the salvation of them to whom no more is revealed, he dare not deny. And that the belief of these is sufficient to them who do not believe other truths which are revealed unto them, no Protestants did ever imagine. Observe how cunningly he confounds the state of the question. The question is not, what is necessary for a man to believe for himself,—this is as different as the degrees of men's knowledge,—but what may lawfully be imposed upon all men, or what may be exacted upon other men to whom it is not revealed, or to whom we do not know whether it be revealed or not. Then if he would have objected any thing material to the purpose, he should have said, that the belief of all fundamentals is not sufficient to salvation, unless other points of Faith be imposed or obtruded upon all men, whether they be revealed or not revealed to them. And this had been directly contrary to the plain decree of the general Council of Ephesus, that no new Creeds nor new points of Faith should be imposed upon Christians, more than the Creed then received[r].

Hebr. v. 12. and c. vi. 1, &c.

How much is necessary to be believed [in order] to salvation ordinarily.

His second objection is this,—"Though there were such fundamentals, yet, seeing Protestants confess they know not which they are, one cannot know by them who hold so much as is necessary to a true Church[s]."

I do not blame either Protestants or others, especially private and particular persons, if they be very tender in setting down precisely what points of Faith are absolutely necessary to salvation; the rather, because it is a curious, needless, and unprofitable speculation. Since the blessed Apostles have been so provident for the Church, as to deposit and commit to the custody thereof the Creed, as a perfect rule and canon of Faith, which comprehendeth all doctrinal points which are absolutely necessary for all Chris-

[q] [Surv., c. ix. sect. 7. pp. 134, 135.]
[r] [Concil. Ephes., P. ii. Act. 6. c. 7. ap. Labb., Concil., tom. iii. p. 689. A.]
[s] [Surv., c. ix. sect. 7. p. 135.]

tians to salvation, it were great folly and ingratitude in us to wrangle about circumstances, or about some substantial points of lesser concernment, whether they be so necessary as others. This is sufficient to let us know, who hold so much as is necessary to a true Church in point of Faith; even all those Churches which hold the Apostles' Creed as it is expounded in the four first general Councils.

His third and last objection followeth; "All points of Faith sufficiently proposed are essential and fundamental, . . . nor can any such point be disbelieved without infidelity, and giving the lie to God, as Protestants sometimes confess[t]."

All revealed truths not essentials.

257 If by 'sufficient proposal' he understand the proposal of the Church of Rome, I deny both parts of his assertion. Many things may be proposed by the Church of Rome, which are neither fundamental truths, nor inferior truths, but errors, which may be disbelieved without either infidelity or sin. Other men are no more satisfied that there is such an infallible proponent, than they satisfy one another what this infallible proponent is. If either a man be not assured that there is an infallible proponent, or be not assured who this infallible proponent is, the proposition may be disbelieved without "giving God the lie." But if by sufficient proposal he understand God's actual revelation of the truth, and the conviction of the conscience, then this third objection is like the first, partly true and partly false. The latter part of it is true, that whosoever is convinced that God hath revealed any thing, and doth not believe it, "giveth God the lie;" and this the Protestants do always affirm. But the former part of it is still false. All truths that are revealed, are not therefore presently fundamentals or essentials of Faith; no more than it is a fundamental point of Faith that St. Paul had a cloak. That which was once an essential part of the Christian Faith, is always an essential part of the Christian Faith; that which was once no essential, is never an essential. How is that an essential part of saving Faith, without which Christians may ordinarily be saved? But many inferior truths are revealed to particular persons, without the actual knowledge whereof many others have been saved; and they themselves might have been saved, though those truths had

[2 Tim. iv. 13.]

[t] [Ibid., p. 136.]

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[Of another means of reunion there proposed.] Another means of reunion proposed by me in the Vindication, was the reduction of the Bishop of Rome from his universality of sovereign jurisdiction *jure Divino* to his '*exordium unitatis*,' and to have his Court regulated by the canons of the Fathers, which was the sense of the Councils of Constance and Basle[u].

Against this he pleadeth;—

Ancient Popes challenged not sovereignty *jure Divino*. First, that "ancient Popes practised or challenged . . . Episcopal or pastoral authority over all Christians, *jure Divino*, in greater ecclesiastical causes[x];" and for the proof thereof referreth us to Bellarmine.

To which I answer, first, that the pastors of Apostolical Churches had ever great authority among all Christians, and great influence upon the Church, as honourable arbitrators, and faithful depositaries of the genuine Apostolical Tradition; but none of them ever exercised sovereign jurisdiction over all Christians. Secondly, I answer, that the Epistles of many of those ancient Popes, upon which their claim of universal sovereignty *jure Divino* is principally grounded, are confessed by themselves to be counterfeits. Thirdly, I answer, that ancient Popes in their genuine writings do not claim nor did practise monarchical power over the Catholic Church, much less did they claim it *jure Divino*; but what power they held, they held by prescription, and by the canons of the Fathers, who granted sundry privileges to the Church of Rome in honour to the memory of St. Peter and the imperial city of Rome. And some of those ancient Popes have challenged their

[u] [Just Vindic., c. x. vol. i. p. 279.]

[x] [Surv., c. ix. sect. 7. p. 137; referring to Bellarm., De Verbo Dei, lib. iii. c. 7, (Op. tom. i. pp. 184. C—186. A.)]

authority from the Council of Nice (though without ground), which they would never have done, if they had held it *jure Divino*[y]. And for answer to Bellarmine, whom he only mentioneth in general, I refer him to Dr. Field[z].

[St. Hierome.]

In the next place he citeth St. Hierome, that "Christ made one Head among the twelve to avoid schism[a]." And "how much more necessary" (saith R. C.) "is such a Head in the universal Church[b]?"

It was discreetly done of him to omit the words going immediately before in St. Hierome:—"But thou sayest the Church is founded upon St. Peter; the same is done in another place upon all the Apostles; they all receive the
258 keys of the Kingdom of Heaven, and the strength of the Church is established equally upon them all[c]." I have shewed him formerly in answer to this place, that in a body endowed with power, as the Church is, a Headship of Order alone is a sufficient remedy against schism[d]. His "how much more" should be how much less. A single person is more capable of the government of a small society, than of the whole world.

[Melancthon.]

After this, he citeth Melancthon,—"As there are some Bishops who govern divers Churches, the Bishop of Rome governeth all Bishops, and this canonical policy I think no wise man doth disallow[e]."

I cannot in present procure that Century of Theological Epistles, but I have perused Melancthon's Epistles published by Caspar Pucerus, wherein I find no such epistle. I examine not, whether this epistle, by him cited, be genuine or counterfeit; and if genuine, whether Melancthon's words be rightly rehearsed; and if rightly rehearsed, at what time it was written, whether before he was a formed Protestant or after. It appeareth plainly in the words here cited, that

[y] [See Schism Guarded, sect. i. c. 1. (below pp. 374, 375) Disc. iv. Pt. i;—Field, Of the Church, bk. v. cc. 33, 34. 39.]

[z] Of the Church, lib. v. à c. 31. ad c. 36.

[a] Cont. Jovinian., lib. ii. [as quoted by R. C. Surv., c. ix. sect. 7. p. 138. The passage is in lib. i., Op. tom. iv. P. ii. p. 168. ed. Bened.]

[b] [Surv., ibid.]

[c] [Hieron., as before quoted.]

[d] Supra, c. v. sect. 1. [pp. 155, 156.]

[e] [Surv., c. ix. sect. 7. p. 139; from the] Cent. Epist. Theol. [Luther., Melancthon., &c. ad Johan. Schwebel.,] Ep. 74. [p. 244. ed. Bipont. 1605. The letter was written in 1535; and is not in the (incomplete) collection of Melancthon's letters publ. at Lond. in 1642, and containing Pucer's and Pezelius' collections and those addressed to Camerarius.]

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Melancthon was willing to acknowledge the Papacy only as a "canonical policy." And so we do not condemn it, whilst it is bounded by the canons of the Fathers. But then where is their *jus Divinum*, or the institution of Christ? Where is their absolute or universal sovereignty of power and jurisdiction? In all probability, if these be the words of Melancthon, his meaning was confined to the Roman Patriarchate, which was all the Church that he was much acquainted with. And that either these are none of his words, or that they were written before he was a formed Protestant, or that he intended only the Roman Patriarchate, is most evident from his later and undoubted writings, wherein he doth utterly and constantly condemn the Papal universal monarchy of the Roman Bishop. And, lastly, what Melancthon saith, is only in point of prudence or discretion,—"he thinks no wise man ought to dislike it."

A moderate Papacy might prove useful, but dangerous.

We are not so stupid as not to see but that some good use might be made of an '*exordium unitatis ecclesiasticæ*,' especially at this time when the civil power is so much divided and distracted. But the quere is, even in point of prudence, whether more good or hurt might proceed from it. We have been taught by experience to fear three dangers: first, when we give an inch, they are apt to take an ell; tyrants are not often born with their teeth, as Richard the Third was, but grow up to their excess in process of time; secondly, when we give a free alms (as Peter-pence were of old), they straightway interpret it to be a tribute and duty; thirdly, what we give by human right, they challenge by Divine right to the See of Rome; and so will not leave us free to move our rudder according to the variable face of the heavens and the vicissitude of human affairs.

[R. C.'s other testimonies.]

These are all the testimonies which he citeth, but he presenteth unto us another dumb show of English authors in the margin, Whitaker[f], Laud[g], Potter[h], Chillingworth[i], Mon-

[f] [Controv. ii. qu. 6. c. 2. (Op. tom. i. pp. 558—561); cited by R. C., Surv., c. ix. sect. 7. p. 138. There certainly is not, in this and the three next authors, as quoted, "one word to the purpose;" nor in the foreigners quoted in note l, excepting Huss.]

[g] [Relat. (of Conference with Fisher), § 38; cited by R. C., ibid.]

[h] [(Answ. to Knott's Charity Mistaken,) sect. (2). p. 38; cited by R. C., ibid.]

[i] [(Relig. of Protest.,) c. v. p. 279. (§ 62—64); cited by R. C., ibid.]

tague[k], besides some foreigners[l]. But if the reader do put himself to the trouble to search the several places, notwithstanding these titles or superscriptions, he will find the boxes all empty, without one word to the purpose, as if they had been cited by chance and not by choice. And if he should take in all the other writings of these several authors, they would not advantage his cause at all. Bishop Montague is esteemed one of the most indulgent to him among them (though in truth one of his saddest adversaries), yet I am confident he dare not stand to his verdict. "*Habeat potestatem ordinis, directionis, consilii, consultationis, conclusionis, executionis, delegatam; subsit autem illa potestas Ecclesiæ, auferibilis sit per Ecclesiam, cum non sit in Divinis Scripturis instituta, non Petro personaliter addicta*"—"Let the Bishop of Rome have delegated unto him" (that is, by the Church) "a power of order, direction, counsel, consultation, conclusion" (or pronouncing sentence), "and putting in execution; but let that power be subject to the Church, let it be in the Church's power to take it away, seeing it is not instituted in the Holy Scriptures, nor tied personally unto Peter[m]." Discourse III.

To conclude; the same advice which he giveth unto me, I return unto himself. "*Attendite ad petram unde excisi estis*" The conclusion.
259 —"Look unto the rock whence ye are hewn." Look unto [Isai. li. 1.] the Church of Hierusalem, and remember, that "the Law [Isai. ii. 2. Micah iv. 2.] came out of Zion, and the Word of the Lord out of Hierusalem." Look unto the Church of Antioch, where "the [Acts xi. 26.] disciples were first called Christians." Look unto the other Eastern Churches, in whose regions the Sun of Righteousness did shine, when the Day of Christianity did but begin to dawn in your coasts. Look to the primitive Church of Rome itself, whose "Faith was spoken of throughout the whole [Rom. i. 8.] world," and needed not the supplemental articles of Pius the Fourth. Lastly, look unto the true Catholic œcumenical Church, whose privileges you have usurped, and seek not to exclude so many millions of Christians from the hope of

[k] [Orig. Eccl., Pars Poster., p. 115 (185); cited by R. C., ibid. p. 139.]

[l] [Viz. Huss, ap. Luther, tom. ii. (fol. 109. Weteberg. 1562) in Assert. art. 30. (per Bull. Leon. X. damnat.);—P. Martyr., in Judic. c. xix. (vv. 21—30);—Calvin, Antidot. (adv. art. Fac. Theol. Paris.), ad (art.) 7. (Op. tom. viii. p. 194; but see ad art. 23, ibid. p. 201): cited by R. C., ibid. pp. 138, 139.]

[m] Mont., Orig. Eccles., Part. poster., p. 185.

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salvation and the benefit of Christ's Passion, in whom "all the nations of the world" were "to be blessed." This indeed is the only secure way both to unity and salvation, to keep that entire 'form of doctrine,' without addition or diminution, which was sufficient to save the holy Apostles; which was by them contracted into a summary, and deposited with the Churches, to be the true badge and cognizance of all Christians in all succeeding ages; more than which the primitive Fathers, or rather the representative Church of Christ, did forbid to be exacted of any person that was converted from Jewism or Paganism to Christianity[n]. "And as many as walk according to this rule" (of Faith), "peace be upon them and mercy, and upon the Israel of God."

[Gen. xxii. 18.]

[2 Tim. i. 13.]

[Gal. vi. 16.]

[n] [Concil. Ephes. as quoted above, p. 278. note r.]

APPENDIX

IN ANSWER TO

THE EXCEPTIONS OF S. W.

OR,

A REPLY

TO

S. W.'S REFUTATION

OF THE

BISHOP OF DERRY'S

JUST VINDICATION OF THE CHURCH OF ENGLAND.

THE most of S. W.'s exceptions have been already largely and particularly satisfied in the former Reply to the Bishop of Chalcedon. Yet, lest any thing of moment might escape an answer, I will review them, and answer them generally and succinctly, as they are proposed by him. To his title of Down-Derry, I have nothing to say, but that it were strange if he should throw a good cast, who soals his bowl [a] upon an undersong.

DISCOURSE III.

SECTION THE FIRST.

[*Of the First and Second Chapters of the Vindication.*]

In the first place, he professeth to shew the impertinency of my grounds, and to stick the guilt of schism "not only with colour, but with undeniable evidence [b]," upon the English Church, "by the very position of the case [c]" or

[The case between the Churches of England and Rome as stated by S. W.]

[a] [i. e. (as it should seem) *grounding* the bowl; see Schism Guarded, Introd. (below pp. 366, 367), Disc. iv. Pt. i.]

[b] [Down-Derry, or, Bishop Bramhall's Just Vindic. of the Ch. of Engl. Refuted, p. 306; at the end of S. W.'s "Schism Disarm'd of the Offensive Weapons lent it by Dr. Hammond and the Bishop of Derry." 12mo. Paris 1655. See Schism Guarded, Prelim. Chap. (below p. 358), note j.]

[c] [Ibid., p. 307.]

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stating of the question between us; and this he calleth a little after their "chief objection[d]" against us.

What then? Is stating of the question and objecting all one? I confess, the right position of a case may dispel umbrages, and reconcile controversies, and bring much light to the truth. But as the lion asked the man in the fable, "who made the picture[e]," we may crave leave to demand, who shall put this case? Surely he meaneth a Roman Catholic. For if a Protestant state it, it will not be so much for their advantage, nor the bare proposition of it bear such undeniable evidence in it.

I hope a man may view this engine without danger. In "the beginning of Henry the Eighth's reign," and immediately before his substraction of obedience from the See of Rome, "the Church of England agreed with the Church of Rome and all the rest of her communion in two points, which were then and still are the bonds of unity betwixt all her members; the one concerning Faith, the other government. For Faith, her rule was, that the doctrines, which had been inherited from their forefathers as the legacies of Christ and His Apostles, were solely to be acknowledged for obligatory, and nothing in them to be changed. For government, her principle was, that Christ had made St. Peter first or chief or prince of His Apostles, who was to be the first mover under Him in the Church after His departure out of this world, and that the Bishops of Rome as successors of St. Peter inherited from him this privilege[f]," &c. A little after he acknowledgeth, that the first principle "includeth the truth of the second;" and that there is "this manifest evidence" for it, "that still the latter age could not be ignorant of what the former believed, and that, as long as it adhered to that method, nothing could be altered in it[g]."

[Of the principles laid down by S. W.]

Before we come to his application of this to the Church of England, or his inference from hence in favour of the Church of Rome, it will not be amiss to examine his two principles, and shew what truth there is in them, and how falsehood is hidden under the vizard of truth.

In the first place, I desire the reader to observe with what

[d] [Down-Derry, p. 308.]
[e] [Avieni Fab. xxiv.]
[f] [Down-Derry, p. 307.]
[g] [Ibid., p. 308.]

261 subtilty this case is proposed;—that "the Church of England agreed with the Church of Rome and all the rest of her communion;" and again, that the Bishop of Rome "exercised this power in all those countries which kept communion with the Church of Rome [h];"—so seeking to obtrude upon us the Church of Rome with its dependents for the Catholic Church. We owe respect to the Church of Rome as an Apostolical Church, but we owe not that conformity and subjection to it, which we owe to the Catholic Church of Christ. Before this pretended separation, the Court of Rome by their temerarious censures had excluded two third parts of the Catholic Church from their communion, and thereby had made themselves schismatical. The world is greater than the city; all these Christian Churches, which are excommunicated by the Court of Rome, only because they would never (no more than their ancestors) acknowledge themselves subjects to the Bishop of Rome, did inherit the doctrine of saving Faith from their forefathers, as the legacy of Christ and His Apostles, and have been as faithful depositaries of it as they. And their testimony what this legacy was, is as much to be regarded as the testimony of the Church of Rome; and so much more, by how much they are a greater part of the Catholic Church.

Discourse III.

[1. The Church of Rome not identical with the Catholic Church.]

Secondly, I observe, how he makes two principles, the one in doctrine, the other in discipline; though he confess, that the truth of the latter is included in the former, and borroweth its evidence from it; only that he might gain the more opportunity to shuffle the later usurpations of the Popes into the ancient discipline of the Church, and make these upstart novelties to be a part of that ancient legacy.

2. [Ancient doctrine and discipline changed by them, not by us.]

'*Frustra fit per plura quod fieri potest per pauciora*'—'It is in vain to make two rules, where one will serve the turn.' I do readily admit both his first and his second rule reduced into one in this subsequent form;—that those doctrines and that discipline, which we "inherited from our forefathers as the legacy of Christ and His Apostles," ought "solely to be acknowledged for obligatory; and nothing in them to be changed," that is substantial or essential.

[h] [Ibid., p. 307.]

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So the Church of England maintains this rule now as well as they. The question only is, who have changed that doctrine or this discipline, we or they? We by substraction, or they by addition? The case is clear. The Apostles contracted this doctrine into a summary, that is, the Creed; the primitive Fathers expounded it where it did stand in need of clearer explication; the general Council of Ephesus did forbid all men to exact any more of a Christian at his Baptismal profession. Into this Faith were we baptized, unto this Faith do we adhere; whereas they have changed and enlarged their Creed by the addition of new articles, as is to be seen in the new Creed or Confession of Faith made by Pius the Fourth. So for doctrine. Then for discipline. We profess and avow that discipline which the whole Christian world practised for the first six hundred years, and all the Eastern, Southern, and Northern Churches until this day. They have changed the "beginning of unity" into an universality of jurisdiction, and sovereignty of power above general Councils, which the Christian world for the first six hundred years did never know, nor the greatest part of it ever acknowledge until this day. Let St. Peter be the "first or chief," or in a right sense the "prince of the Apostles[i]," or "the first mover in the Church;" all this extends but to a primacy of order. The sovereignty of ecclesiastical power was in the Apostolical College, to which a general Council now succeedeth. It is evident enough whether they or we do hold ourselves better to "the legacy of Christ and His Apostles."

3. [The true question is, what are the right *limits* of Papal power.]

Thirdly, whereas he addeth, that "the Bishops of Rome as successors of St. Peter inherited" his "privileges," and "actually exercised this power in all those countries which kept communion with the Church of Rome, that very year wherein this unhappy separation began[k];" as it cometh much short of the truth in one respect, for the Popes "*exercised*" much more power in those countries which gave them leave, than ever St. Peter pretended unto; so it is much more short of that universal monarchy, which the

[i] [See above in the Replic., c. v. sect. 1. p. 154. note k.]

[k] [Down-Derry, p. 307.]

262 Pope did then and doth still claim. For, as I have already said, two third parts of the Christian world were not at that time of his communion, but excommunicated by him, only because they would not submit their necks to his yoke. And those other countries which yielded more obedience to him, or were not so well able to contest against him, yet, when they were over much pinched, and his oppressions and usurpations did grow intolerable, did oppose him, and make themselves the last judges of their own liberties and grievancies, and of the limits of Papal authority, and set bounds unto it, as I have demonstrated in the Vindication [l]. So, whereas this Refuter doth undertake to state the case clearly, he cometh not near the true question at all; which is not, whether the Bishop of Rome had *any* authority in the Catholic Church;—he had authority in his diocese, as a Bishop; in his province, as a Metropolitan; in his Patriarchate, as the chief of the five Protopatriarchs; and all over, as the Bishop of an Apostolical Church, or successor of St. Peter:—but the true question is, what are the right limits and bounds of his authority; whether he have a legislative power over all Christians; whether the patronage and disposition of all Churches doth belong unto him; whether he may convocate synods, and exercise jurisdiction, and sell palls, pardons, and indulgences, and send legates, and set up legantine courts, and impose pensions at his pleasure, in all kingdoms without consent of sovereign princes, and call all ecclesiastical causes to Rome, and interdict whole nations, and infringe their liberties and customs, and excommunicate princes, and deprive them of their realms, and absolve their subjects from their allegiance. Let these pretended branches of Papal power be lopped off, and all things restored to the primitive form, and then the Papacy will be no more like that "*insana laurus* [m]," the cause of contention or division in all places. In the mean time, if they want that respect which is due unto them, they may blame themselves, who will not accept what is their just right, unless they may have more.

Fourthly, that which follows is a great mistake, that it "was" and "is" the "constant belief of the Catholic world, 4. [No universal tradition, that

[l] [c. vii. vol. i. pp. 200—246.]

[m] [Plin., Nat. Hist., lib. xvi. c. 89.]

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the Pope's supremacy is by Christ's own ordination.]

. . that these principles are Christ's own ordination recorded in Scripture [n]."

What? that St. Peter had any power over his fellow-Apostles? or that the Bishop of Rome succeeds him in that power? It doth not appear out of the Holy Text that St. Peter was at Rome, except we understand Rome by the name of Babylon [o]. If it be "Christ's own ordination recorded in the Scriptures," that St. Peter should have all these privileges, and the Bishop of Rome inherit them as his successor, then the great general Council of Chalcedon was much to be blamed, to give equal privileges to the Patriarch of Constantinople with the Patriarch of Rome, and to esteem the "imperial city [p]" more than the "ordination of Christ." Then the whole Catholic Church was much to be blamed, to receive such an unjust constitution not approved by the then Bishop of Rome. Lastly, this is so far from the "constant belief of the Catholic world," that it is not the belief of the Roman Church itself at this day. The greatest defenders of the Pope's supremacy dare not say, that the Bishop of Rome succeedeth St. Peter by "Christ's own ordination," but only by St. Peter's dying Bishop of Rome. They acknowledge, that St. Peter might have died Bishop of Antioch, and then they say the Bishop of Antioch had succeeded him; or he might have died Bishop of no place, and then the Papacy had been in the disposition of the Catholic Church, though he died at Rome [q]; as without doubt it is, and may be contracted, or enlarged, or translated from one see to another, for the advantage of Christian religion. His "manifest evidence [r]," which he stileth "so ample a memory and succession as is stronger than the stock of human government and action [s]," that is, "that still the latter age could not be ignorant of what the former believed, and as long as it adhered to that method, nothing could be altered in it [t],"—is so far from a demonstration, that it scarcely deserveth the name of a topical argument. For as an universal uncontroverted

[1 Pet. v. 13.]

[n] [Down-Derry, p. 309.]

[o] [See Cave, Life of St. Peter, sect. x. § 5.—Baron., Annal., in an. 45. num. 16.—Bellarm., De Roman. Pontif., lib. ii. c. 2. Op. tom. i. p. 714.]

[p] [Concil. Chalced. can. 28. ap. Labb., Concil., tom. iv. p. 769.]

[q] [See Bellarm., De Roman. Pontif., lib. ii. c. 12. Op. tom. i. p. 743. C.]

[r] [Down-Derry, p. 308.]

[s] [Ibid., p. 309.]

[t] [Ibid., p. 308.]

tradition of the whole Christian world of all ages united, is a convincing and undeniable evidence—(such a tradition is the Apostles' Creed, comprehending in it all the necessary points of saving Faith, repeated daily in our Churches, 263 every Christian standing up at it, both to express his assent unto it and readiness to maintain it, professed by every Christian at his Baptism, either personally when he is of age sufficient, or by his sureties when he is an infant,)—and the tradition of the universal Church of this age, a proof not to be opposed nor contradicted by us; so the tradition of some particular persons, or some particular Churches, in particular points or opinions of an inferior nature, which are neither so necessary to be known, nor so firmly believed, nor so publicly and universally professed, nor derived downwards from the Apostolical ages by such uninterrupted succession, doth produce no such certainty either of evidence or adherence. When the Christian world is either not united, or divided, about particular opinions or inferior points of Faith, it proveth most probably that there was no Apostolical tradition at first, but that particular persons or places have assumed their respective opinions in succeeding ages; or, otherwise, there is a fault in the conduit-pipe, or an error and failing in the derivation of the tradition. And both these do take much away from assurance, more or less according to the degree of the opposition. In such questionable and controverted points as these, which are neither so universally received, nor so publicly professed, his assertion is groundless and erroneous, that "the latter age cannot be ignorant what the former believed." Yes, in such controverted points this present age may not know, yea, doth not know, what itself believeth, or rather opiniateth, until it come to be voted in a synod. The most current opinions in the schools are not always the most generally received in the Church; and those which are most plausible in one place, are often hissed out of another. And though it were possible for a man to know what opinion is universally most current, yet how shall he know that the greater part is the sounder part? or if he did, how shall he know that what he believeth in such points is more than an indifferent opinion? or that it was deposited by the Apostles with the Church, and de-

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livered from age to age by an uninterrupted succession? No ways but by universal tradition of the Christian world united, either written or unwritten. But this is all the evidence which they can expect, who confound universal tradition with particular tradition, the Roman Church with the Catholic Church, the Christian world united with the Christian world divided, and scholastical opinions with articles of Faith.

[S. W.'s main principle admitted by the English Church;]

Yet from these two principles he maketh two inferences,— The one against the Church of England; that, since the Reformation, "neither the former rule of unity of Faith nor the second of unity of government have had any power . . in the English Church[u]."

Whilst he himself knoweth no better what we believe, who live in the same age, how doth he presume, that "the latter age cannot be ignorant of what the former believed?" I have shewed him already, how we do willingly admit this principle, wherein both his rules are comprehended, "that the doctrines and discipline inherited from our forefathers as the legacies of Christ and His Apostles are solely to be acknowledged for obligatory, and nothing in them to be changed[x]." This is as much as any person disinteressed can or will require. And upon this principle we are willing to proceed to a trial with them. There is a fallacy in logic, called "Of more interrogations than one;" that is, when several questions of different natures, to which one uniform answer cannot be given, yea, or no, are mixed and confounded together. So he doth not only set down this second rule concerning government ambiguously, that a man cannot tell whether he make St. Peter only a Head of order *among* the Apostles, or a Head of single power and jurisdiction also *over* the Apostles; but also he shuffles the Bishop of Rome into St. Peter's place "by Christ's own ordination," and confounds St. Peter's "*exordium unitatis*" with the usurped power of Popes, as it was "actually exercised" by them in latter ages.

[Contradicted by the Roman.]

His second inference is in favour of the Church of Rome; that the Roman Church, with "those Churches which continue in communion with it, are the only Churches, which have true

[u] [Ibid., pp. 307, 308.]

[x] [See above p. 287.]

doctrine in virtue of the first principle above-mentioned, and the right government in virtue of the second;" and 'consequently' are "the entire Catholic or Universal Church of Christians, all others by misbelief or schism being excluded[y]." DISCOURSE III.

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Our answer is ready,—that the Church of Rome, or the Court of Rome, have sophisticated the true doctrine of Faith by their supplemental articles and erroneous additions, contrary to the first principle; and have introduced into the Church a tyrannical and unlawful government, contrary to the second principle; and are so far from being the entire Catholic Church, that by them both they are convicted to have made themselves guilty of superstition and schism.

And, lastly, where he saith, that my "only way to clear our Church from schism" is "either by disproving the former to be the necessary rule of unity in Faith, or the latter the necessary bond of government[z]," he is doubly mistaken. First, we are the persons accused, our plea is negative or not guilty. So the proof lieth not upon us, but upon him to make good his accusation by proving us schismatics. Secondly, if the proof did rest upon our sides, we do not approve of his advice: it is not we who have altered the doctrine or discipline which Christ left to His Church by our substractions, but they by their additions. There is no doubt but Christ's legacy ought to be preserved inviolable; but we deny, that Christ bequeathed spiritual monarchy over His Church to St. Peter, and that the Bishop of Rome is St. Peter's heir "by Christ's ordination," and that this was the "constant belief of the Catholic world" at any time. This is his province; let him either make this good or hold his peace. [Conclusion.]

SECTION THE SECOND.

[*Of the Third Chapter of the Vindication.*]

So his prologue is ended; now we come to his "animadversions" upon my arguments.

My first ground was, because not Protestants but Roman [The first ground

[y] [Down-Derry, p. 308.] [z] [Ibid.]

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Catholics themselves did make the first separation[a]. To which his first answer is, "If it were so, how doth that acquit us, since continuance in a breach of this nature . . is as culpable as the beginning[b]?"

stated in the Vindication; viz. that not Protestants but Roman Catholics did make the separation.]

Many ways. First, it is a violent presumption of their guilt and our innocence, when their best friends and best able to judge, who preached for them, and writ for them, who acted for them, and suffered for them, who in all other things were great zealots of the Roman religion, and persecuted the poor Protestants with fire and faggot, did yet condemn them, and justify this separation[c]. Secondly, though it doth not always excuse '*a toto*'—from all guilt and punishment, to be misled by others into error,—"if the blind lead the blind, both fall into the ditch,"—yet it doth always excuse '*a tanto*;' it lesseneth the sin, and extenuateth the guilt. Persons misled by the example and authority of others are not soculpable as the first authors and ringleaders in schism. If this separation be an error in Protestants, the Roman Catholics do owe an account to God both for themselves and us. Did they find cause to turn the Pope out of England, as an intruder and usurper, and could Protestants, who had no relation to Rome, imagine that it was their duties to bring him in again[d]? Thirdly, in this case it doth acquit us not only '*a tanto*,' but '*a toto*;' not only from such a degree of guilt, but from all criminous schism; so long as we seek carefully after truth, and do not violate the dictates of our consciences. If he will not believe me, let him believe St. Austin.—"He that defends not his false opinion with pertinacious animosity, having not invented it himself but learned it from his erring parents, if he inquire carefully after the truth, and be ready to embrace it, and to correct his errors when he finds them, he is not to be reputed an heretic[e]." If this be true in the case of heresy, it is more true in the case of schism. Thus, if it had been a crime in them, yet it is none in us; but in truth it was neither crime in them nor us, but a just and necessary duty.

[1. We are thereby acquitted, even if they were guilty.]

[Matt. xv. 14.]

[a] [Just Vindic., c. iii.]
[b] [Down-Derry, p. 310.]
[c] [See Just Vindic., c. iii. vol. i. pp. 113, 115, 120—122.]
[d] [See Just Vindic., c. iii. vol. i. pp. 123, 124.]
[e] [August.,]Epist. 162. [editt. before Bened.—43. Ad Glorium, &c., tom. ii. p. 88. F. G. ed. Bened. See Just Vindic., c. iii. vol. i. pp. 126, 127.]

Secondly, he answereth, that it is no sufficient proof that they were no Protestants, "because they persecuted Protestants," for "Protestants persecute Protestants: Lutherans, Calvinists, Zwinglians, Puritans, and Brownists, persecute one another[f]." [Discourse III. [2. They were not Protestants, although they rejected the Pope.]

What then, were Warham, and Heath, and Thurlesby, Tunstall, and Stokesley, and Gardiner, and Bonner, &c., all Protestants? Did Protestants enjoy Archbishoprics and Bishoprics in England, and say Masses, in those days? Will he part so easily with the greatest patrons and champions of their Church, and opposers of the Reformation? If he had writ thus much whilst they were living, they would have been very angry with him. Yet at the least, if they were Protestants, let him tell me which of these sects they were of; "Lutherans," &c. But he telleth us, that "the renouncing of the Pope is the most essential part of our reformation," and so they "had in them the quintessence" of a Protestant[g]. He is mistaken; this part of the reformation was done to our hands; it was their reformation, not ours. But if he will needs have the kingdoms and Churches of England and Ireland to have been all Protestants in Henry the Eighth's days, only for renouncing the Pope's absolute universal monarchy, I am well contented; we shall not lose by the bargain. Then the primitive Church were all Protestants; then all the Grecian, Russian, Armenian, Abyssene Christians are Protestants at this day; then we want not store of Protestants even in the bosom of the Roman Church itself.

SECTION THE THIRD.

[*Of the Fourth Chapter of the Vindication.*]

My "second" ground (saith he) was, "Because, in the separation of England from Rome, there was no new law made, but only their ancient liberties vindicated." This he is pleased to call "notoriously false" and "impudence itself," because "a law was made in Henry the Eighth's time, and [The second ground stated in the Vindication; viz. that in the separation

[f] [Down-Derry, p. 310.]

[g] [Ibid, p. 311.]

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of England from Rome no *new* law was made.] [Henry VIII.'s statutes were declarative, not operative.]

an oath invented, . . . by which was given to the king to be Head of the Church, and to have all the power the Pope did at that time possess in England[h]."

Is this the language of the Roman schools? Or doth he think perhaps with his outcries and clamours (as the Turks with their Allah, Allah) to daunt us and drive us from our cause? Christian reader, of what communion soever thou art, be but indifferent, and I make thee the judge where this "notorious falsehood" and "impudence" doth rest, between him and me. I acknowledge this was the title of my fourth chapter, that "the king and kingdom of England, in the separation from Rome, did make no new law, but vindicate their ancient liberties." It seemeth he confuteth the titles, without looking into the chapters; did I say they made no new *statutes?* No, I cited all the new statutes which they did make, and particularly this very statute which he mentioneth here[i]. Yet I said, they "made no new law," because it was the law of the land before that statute was made. The customs and liberties of England are the ancient and common law of the land; whensoever these were infringed, or an attempt made to destroy them (as the liberties of the Crown and Church of England had then been invaded by the Pope), it was the manner to restore them, or to declare them by a statute, which was not operative to make or create new law, but declarative to manifest or to restore ancient law. This I told him expressly in the Vindication[k], and cited the judgment of our greatest lawyers, Fitz-Herbert and my Lord Coke, to prove that this very statute was not operative to create new law, but declarative to restore ancient law. This appeareth undeniably by the statute itself:—"that England *is* an *empire*," and that the king, as "Head" of the "body politic" consisting of the "spiritualty and temporalty," hath "plenary power" to "render final justice for all matters[l]." Here he seeth expressly, that the political supremacy or Headship of the king over the spiritualty as well as temporalty, which is all that we assert at this day, was the ancient fundamental law of England.

[h] [Ibid., from Just Vindic., c. iv.]

[i] [Viz. 24 Hen. VIII. c. 12. See Just Vindic., c. iii. vol. i. pp. 114-116.]

[k] [Just] Vindic., c. iv. [vol. i.] pp. [151, 152.]

[l] 24 Hen. VIII. c. 12. [§ 1.]

And lest he should accuse this Parliament of partiality, I produced another that was more ancient.—"The Crown of England hath been so free at all times, that it hath been in no earthly subjection, but immediately subjected to God in all things touching its regality, and to no other, and ought not to be submitted to the Pope[m]." Here the king's political supremacy under God is declared to be the fundamental law of the land. Let him not say, that this was intended only in temporal matters; for all the grievances mentioned in that statute are expressly ecclesiastical. What was his meaning, to conceal all this and much more, and to accuse *me* of impudence?

266 Secondly, he saith, that I "bring divers allegations, wherein the Pope's pretences were not admitted," or where "the Pope is expressly denied the power to do such and such things;"—"do we profess the Pope can pretend no more than his right?—doth he think a legitimate authority is rejected, when the particular faults of them that are in authority are resisted[n]?"

[The Papal claims rejected by the English not merely exaggerations of rights.]

He styleth the authorities by me produced mere "allegations;" yet they are as authentic records as England doth afford. But though he be willing to blanch over the matter in general expressions of "the Pope's pretences," and "such or such things," as if the controversy had been only about a handful of goat's wool, I will make bold to represent some of "the Pope's pretences," and their declarations against them. And if he be of the same mind with his ancestors in those particulars, he and I shall be in a probable way of reconciliation as to this question. They declared, that it was the custom or common law of the land, "*ut nullus præter licentiam regis appelletur Papa*"—"that no Pope might be appealed unto without the king's licence[o]." They made a law, that, "if any one were found bringing in the Pope's letters or mandates into the kingdom, let him be apprehended, and let justice pass upon him without delay, as a traitor to the king and kingdom[p]." They exercised a legislative power in all ecclesiastical causes, concerning the ex-

[m] 16 Rich. II. c. 5. [§ 1. See Just Vindic., c. iv. vol. i. p. 147.]

[n] [Down-Derry, pp. 311, 312.]

[o] Malmesb., De Gestis Pontif., lib. i. [p. 219. See Just Vindic., c. iv. p. 135. note i.]

[p] Hoveden, in Hen. [II. p. 496. See Just Vindic., ibid. p. 136. note n.]

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ternal subsistence, regiment, and regulating of the Church, and over all ecclesiastical persons, in all ages, as well of the Saxon as of the Norman kings. They permitted not the Pope to endow vicars, nor make spiritual corporations, nor exempt from the jurisdiction of the ordinary, nor appropriate Churches, nor to dispose benefices by lapse, nor to receive the revenues in the vacancy, but the king did all these things; as I shewed at large in the Vindication[q]. They permitted not the Pope's canon law to have any place in England further than they pleased to receive it[r]. They gave the king the last appeal of all his subjects; they ascribed to him the patronage of Bishoprics, and investitures of Bishops; they suffered no subject to be cited to Rome without the king's licence; they admitted no legates from the Pope, but merely upon courtesy; and if any was admitted, he was to take his oath to do nothing derogatory to the king or his Crown: if any man did denounce the Pope's excommunication in England without the king's consent, or bring over the Pope's Bull, he forfeited all his goods. So the laws of England did not allow the Pope to cite or excommunicate an English subject, nor dispose of an English benefice nor send a legate-*à-latere*, or so much as an authoritative Bull, into England, nor to receive an appeal out of England, without the king's licence[s].

[Papal authority not limited but denied by the English laws.]

But, saith he, "to limit an authority implies an admittance of it in cases to which the restraints extend not[t]."

This was not merely to "limit" an authority, but to deny it. What lawful jurisdiction could remain to him in England, who was not permitted by law to receive any appeal thence, nor to send any citation or sentence thither, nor execute any authority over an English subject, either at Rome by himself, or in England by his deputies, without licence? That he exercised all these acts at some times, there is no doubt of it. But he could not exercise them lawfully without consent. Give us the same limitation which our ancestors always

[q] [See Just Vindic., ibid. pp. 137—139.]

[r] 20 Hen. III. c. 9. [See Just Vindic., ibid. p. 140. note h.]

[s] [See the] Stat. of Clarend.—the Stat. of Carlisle [35 Edw. I. c. 4. § 3].—the Artic. Cleri [9 Edw. II. c. 14].—[the Stat. of Provisors,] 25 Edw. III. [Stat. 6. § 3].—[2]7 Edw. III. c. [1.]; 16 Rich. II. c. 5. [Statutes of Præmunire.]—Placit., an. 1. Hen. VII. et an. 32 et 34. Edw. I. [and the Just Vindic., c. iv. vol. i. pp. 141—148.]

[t] [Down-Derry, p. 312.]

claimed,—that no foreign authority shall be exercised in England without leave,—and then give the Pope as much authority as you please. "*Volenti non fit injuria*"—'consent takes away error;' he is not wronged, who gives leave to another to wrong him.

He demandeth, first, "Were not those laws in force in the beginning of Henry the Eighth's reign[u]?" [Henry VIII.'s statutes declarative of ancient laws.]

Yes; but it is no strange matter to explain, or confirm, or renew, ancient laws upon emergent and subsequent abuses; as we see in *Magna Charta*, the Statute of Provisors, and many other statutes.

Secondly, he asketh, whether "we began our religion there[x];" that is, at that time when these ancient laws were made. [Not the beginning of our religion.]

No, I have told him formerly that these statutes were only declarative what was the ancient common law of the kingdom. We "began our religion" from Joseph of Arimathea's time, before they had a Church at Rome. But it is their constant use to make the least reformation to be a new religion.

Lastly, he inquireth, whether there be not "equivalent" [Paralleled in Roman Catholic countries, and with similar results.]
267 laws to these "in France, Spain, Germany, and Italy itself;" and yet they are "Catholics," and hold "communion with the Pope[y]."

Yes, there are some such laws in all these places by him mentioned, perhaps not so many, but the liberties of the French Church are much the same with the English, as I have shewed in the Vindication[z]; and therefore the Pope's friends do exclude France out of the number of those countries which they term '*Pays d' obédience*'—'loyal countries.' What use some other countries can make of the Papacy more than we in England, concerns not me nor this present discourse.

And here, to make his conclusion answerable to his preface in this section, he cries out, "How ridiculous, how impudent a manner of speaking is this! to force his readers to renounce their eyes and ears, and all evidence[a]." Nay, reader, it is not I that go about to force thee to "renounce" thy "eyes or ears" or thy "evidence," but it is he that is troubled for fear thou shouldest use thine eyes and ears to

[u] [Ibid.]
[x] [Ibid.]
[y] [Ibid.]
[z] Just Vindic., c. vii. [vol. i.] pp. [225—228.]
[a] [Down-Derry, p. 312.]

PART I. look upon the evidence; and therefore, like the priests of Cybele, on purpose makes all this noise, to deaf thine ears, least thou shouldest hear the lewd cries of our laws.

SECTION THE FOURTH.

[*Of the Fifth Chapter of the Vindication.*]

[Third ground stated in the Vindication; viz. that the Britannic Churches were exempted from foreign jurisdiction for the first six hundred years.]

The scope of my fifth chapter was to shew, "that the Britannic churches" (that is, the Churches of the Britannic Islands) "were ever exempted from forcign jurisdiction for the first six hundred years, and so ought to continue [b]."

His first exception to this is, how the Britannic privileges do "belong to us?"—"Have we any title from the Britannic Churches, otherwise than by the Saxon Christians, who only were our ancestors [c]?" &c.

1. [How the Britannic privileges belong to us.]

Yes, well enough. First, Wales and Cornwall have not only a local, but a personal succession. No man can doubt of their right to the privileges of the Britannic Churches. Secondly, there is the same reason for the Scots and Picts, who were no more subjected to foreign jurisdiction, than the Britons themselves. All these put together, Britons, Scots and Picts, did possess about two third parts of the Britannic Islands, after the Saxon conquests were consummated. Thirdly, among the Saxons themselves, the great kingdoms of Mercia and Northumberland were converted by the ancient Scots, and had their religion and ordination first from them, afterwards among themselves, without any foreign dependence, and so were as free as either Britons or Scots, and ought to continue so. Fourthly, throughout the rest of England, a world of British Christians after the conquest did still live mixed with the Saxons, such as they had no need to fear, such as might be serviceable to them, as it commonly falleth out in all conquests; otherwise the Saxons had not been able to people the sixth part of the land. Who can deny these poor conquered Christians, and their Christian posterity, though mixed with Saxons, the just privileges of their ancestors. Lastly, the Saxon conquest gave unto them as good

[b] [Just Vindic., c. v.]

[c] [Down-Derry, p. 312. See a fuller answer to this in Schism Guarded, sect. iv. (pp. 371—373. fol. edit.) Disc. iv. Pt. i.]

title to the privileges, as to the lands, of the Britons, so soon as they were capable of them. And so at their first conversion they were free, and continued free, and (further than themselves pleased to consent) ought to continue free for ever.

2. [The British exemption not disproved by the canon of the Sardican Council.]

Secondly, he objecteth, that this pretended exe[mp]tion of the British Churches is "false;" for "nothing is more evident in history, than that the British Churches admitted appellation to Rome at the Council of Sardica[d]."

Before he can allege the authority of the Council of Sardica, he must renounce his Divine institution of the Papacy. For that canon[e] submitteth it to the good "pleasure" of the Fathers; and groundeth it upon the "memory of St. Peter," not the institution of Christ. Further, how doth it appear, that the British Bishops did assent to that canon? This is merely presumption without any proof. The Council of Sardica was no general Council after all the Eastern Bishops were departed, as they were before the making of that canon. Neither were the canons of the council of Sardica ever received in England, or incorporated into the English laws; and without such incorporation they did not bind English subjects. Lastly, this canon is contradicted by the great general Council of Chalcedon[f], which our Church receiveth.

There appeareth not the least footstep of any Papal juris-
268 diction exercised in England by Eleutherius, but the contrary; for he referred the legislative part to King Lucius, and the British Bishops. And if Pope Celestine had sent St. German into Britain, to free the Britons from Pelagianism, or converted some of the Scots by Palladius, as we have very little reason to believe either the one or the other, yet it maketh nothing at all for the exercise of any Papal jurisdiction in Britain. Preaching, and converting, and baptizing, and ordaining, are acts of the key of order, not of jurisdiction. But these instances, and whatsoever he hath in answer to the British observation of Easter, are pressed more home by the Bishop of Chalcedon, and clearly satisfied in my reply to him[g]: whither I refer the reader.

[d] [Ibid., p. 313. See a fuller reply in Schism Guarded, sect. iv. (pp. 373, 374. fol. edit.).]

[e] [Concil. Sardic. can. 3. ap. Labb., Concil., tom. ii. pp. 628, 629.]

[f] [Concil. Chalced. P. ii. Act. xv. can. 9. ap. Labb., Concil., tom. iv. p. 759. See Schism Guarded, as quoted in note d.]

[g] [Above] c. v. [sect. 4, 5. pp. 168, 176, &c.]

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3. [No title in the Pope to a spiritual monarchy as St. Peter's successor.]

But (saith he) "that which is mainly to the purpose is, that since this privilege" (he meaneth the supremacy) "descends upon the Pope as successor to St. Peter, how far it was executed may be unknown, but that it was due, none can be ignorant [h]."

Words are but wind, when they are utterly destitute of all manner of proof. We acknowledge the Pope to be successor of St. Peter, and (if he do not forfeit it by his own fault) we are ready to pay him such respect as is due to the Bishop of an Apostolical Church; but for any spiritual monarchy, or universal jurisdiction, we know no manner of title that he hath. His pretence is more from Phocas the usurper, than from St. Peter. And here, though I know not this hereditary privilege of the Pope descended from St. Peter (there is no knowledge of that which hath no being), and the burden of proving it lies upon him, yet he taxeth me for leaving it, and spending my time about the Pope's "Patriarchal" power [i]. I observe how ready they are all to decline all manner of discourse concerning the Pope's Patriarchal power; and yet, for a long time, it was the fairest flower in their garland. I know not what is the reason, but we may well conjecture,—because they find, that their spiritual monarchy and this Patriarchal dignity are inconsistent the one with the other in the same subject. They might as well make a king to be a sheriff of a shire, or a president of a particular province within his own kingdom, as make a spiritual monarch to be a Patriarch. And yet a Patriarch he was, and so always acknowledged to be; and they cannot deny it.

[The answer of Dionothus.]

Among other proofs of the British liberty, I produced the answer of Dionothus to Austin,—no obscure person, as he makes him, but a man famous for his learning, Abbot and Rector of the famous University of Bangor, wherein there were at that time above two thousand one hundred monks and students,—at the very close of the first six hundred years,—that 'he knew no obedience due to him whom they called the Pope, but obedience of love; and that under God they were to be governed by the Bishop of Caerleon [k].'

This record he calleth "a piece of a worn Welsh manu-

[h] [Down-Derry, p. 313.]
[i] [Ibid.]
[k] [See Just Vindic., c. v. vol. i. p. 162. note q.]

script[l]," and a "manifest forgery" of a "counterfeit knave[m]." And to prove it counterfeit, he produceth three reasons.

First, that the word "'Pope' without any addition is put for the Bishop of Rome;" which "if our great antiquaries can shew" in these days, he will "confess himself surprised[n]."

1. ["Pope" put absolutely at that time for the Bishop of Rome.]

I shall not need to trouble any of "our great antiquaries" about it. It will suffice to commit him and his friend Cardinal Bellarmine together about it. I see, friends are not always of one mind. Thus he,—"*Cum absolute pronunciatur Papa, ipse solus intelligitur, ut patet ex consilio Chalcedonensi 'Beatissimus et Apostolicus vir Papa hoc nobis præcipit;' nec additur Leo, aut Romanus, aut urbis Romæ, aut aliquid aliud*"—"When the word 'Pope' is put alone, the Bishop of Rome only is to be understood, as appeareth out of the Council of Chalcedon, 'The most blessed and Apostolical man the Pope doth command us this;' neither is there added Pope Leo, or the Pope of Rome, or the Pope of the city of Rome, or any other thing[o]."

His second exception hath no more weight than the former,—that "there was no such Bishopric" as Caerleon in those days, the see "being translated fifty years before that to St. David's[p]."

2. [How the Bishopric of Caerleon put for that of St. David's.]

Where is the contradiction? The name of the old diocese is Caerleon. The new see or throne was the new Abbey Church erected at Menevia, which place posterity called St. David's. But St. David's could not be called St. David's whilst he himself lived; nor afterward, until custom and tract of time had confirmed such an appellation. Some would make us believe, that St. David and St. Gregory died
269 upon the same day, and then he was still living when Dinoth gave this answer[q]. But let that be as it will, for it is not much material. St. David after the translation of his see died Archbishop of Caerleon; "*Tunc obiit sanctissimus Urbis Legionum Archiepiscopus David in Meneviæ civitate*," &c.—"Then died the most holy Archbishop of Caerleon, St. David,

[l] [Down-Derry, p. 314.]
[m] [Ibid., p. 315.]
[n] [Ibid., p. 314.]
[o] [Bellarm.,] De Roman. Pontif., lib. ii. c. 31. [Op. tom. i. p. 826. D; from Concil. Chalced. (A. D. 451.)] Act. xvi. [ap. Labb., Concil., tom. iv. p. 809. D.]
[p] [Schism Disarmed, p. 133.]
[q] [See Ussher, Antiq. Britann. Eccl., c. v. pp. 81, 82; and Just Vindic., c. v. vol. i. p. 163. note r. p. 164. note y.]

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in the city of Menevia[r];" and long after his death it still retained the name of Caerleon, even after it was commonly called St. David's. So much Sir Henry Spelman might have put him in mind of;—"*Discesserat ante hæc dignitas à Caerlegione ad Landaviam sub Dubritio, . . et mox à Landaviâ ad Meneviam cum Sancto Davide,*" &c.; "*sed retento pariter Caerlegionis titulo*[s]." And lest he should account Sir Henry Spelman partial, let him hear Giraldus Cambrensis;—"*Habuimus apud Meneviam Urbis Legionum Archiepiscopos successive viginti quinque, quorum primus fuit Sanctus David,*" &c. —"We had at Menevia five and twenty Archbishops of Caerleon, whereof St. David was the first[t]." What can be more plain? Should a man condemn every author for "counterfeit," wherein St. Alban's is called Verulam presently after St. Alban's death? It is an ordinary thing for the same city to have two names, and much more the same Bishopric: one from the old see, another from the new; or one from the diocese, another from the see: as the Bishop of Ossory or Kilkenny indifferently.

3. [S. W.'s third exception scarcely worth notice.]

His third exception is so slight, that I cannot find the edge of it,—because Sir Henry Spelman "found no other antiquity in it worth the mention, which shrewdly implies, that the book was made for this alone[u]."

And how doth he know that Sir Henry Spelman "found no other antiquities in it?" There might be many other British antiquities in it, and yet not proper for a collection of ecclesiastical Councils. Or if there had been no other antiquity in it, would he condemn his Creed for a counterfeit, because it is not huddled together confusedly with some other treatises in one volume? But to demonstrate evidently to him how vain all his trifling is against the testimony of Dionothus, why doth he not answer the corroboratory proof, which I brought out of Venerable Bede and others, of two British synods, held at the same time, wherein all the British clergy did renounce all obedience to the Bishop of Rome, of which all our historiographers do bear witness[x]?

[r] [Galf. Monum.,] Brit. Hist., lib. xi. c. 3. [See Ussher, Antiq. Britann. Eccl., c. v. p. 82.]

[s] [Spelm., Concil., tom. i.] p. 106.

[t] Dialog. de Eccles. Menev., distinct. 2. [ap. Wharton., Angl. Sacr., tom. ii. p. 542.]

[u] [Down-Derry, p. 315.]

[x] [Just Vindic., c. v. vol. i. pp. 163, 164. c. vii. ibid. pp. 201, 202. notes b, c.]

Why doth he not answer this, but pass by it in so great silence? He might as well accuse this of forgery as the other; since it is so well attested, that Dionothus was a great actor and disputer in that business. DISCOURSE III.

SECTION THE FIFTH.

[*Of the Sixth Chapter of the Vindication.*]

In my sixth chapter I proved three things: first, that "the king and Church of England had sufficient *authority* to withdraw their obedience from the Roman Patriarch;" secondly, that they had "just *grounds*" to do it; and, thirdly, that they "did it with due *moderation*[y]." [Argument of the sixth chapter of the Vindication.]

I. Concerning the first point, he chargeth me, the second time, for insisting upon a wrong plea, that is, their Patriarchal authority; which he confesseth to be "human[z]" and "mutable[a]." I have formerly intimated, why they are so loth to entertain any discourse concerning the Pope's Patriarchate;—because they know not how to reconcile a monarchy of Divine institution with an aristocracy of human institution. When I first undertook this subject, I conceived, that the great strength of the Roman Samson did lie in his Patriarchate: but since this Refuter quitteth it, as the Pope himself hath done, not for six hundred years only[b] (he speaks too sparingly), but for a thousand years, ever since Phocas made Boniface Universal Bishop, I am well contented to give over that subject, upon these two conditions; first, that he do not presume that the Pope is a spiritual monarch, without proving it; secondly, that he do not attempt to make Patriarchal privileges to be royal prerogatives. I. [The king and Church of England had sufficient *authority* to withdraw their obedience from the Roman Patriarch.]

Yet he will not leave this human right before we have resolved him three questions. [Conduct of the Popes sufficient warrant for their deposition.]

First (saith he), "suppose the Christian world had chosen to themselves one Head for the preservation of unity in religion; ... what wrongs must that Head do," to be suffi-

[y] [Down-Derry, p. 315; from Just Vindic., c. vi. title.]
[z] [Down-Derry, p. 313.]
[a] [Ibid., p. 315.]
[b] [Ibid., p. 316. See Just Vindic., c. v. vol. i. p. 158.]

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cient grounds 'both for the deposition of the person and abolition of the government[c]?'

Nay, put the case right. Suppose the Christian world should choose one, for order' sake, to be their president, or prolocutor in their general Assembly, and he should endeavour to make himself their prince upon some feigned title, did not he deserve to be turned out of his employment, and if they found it expedient, to have another chosen in his place? 270

[They made the separation, not we.]

Secondly, he 'supposeth,' that "this alteration should be made by some one party of the Christian commonwealth, which must separate itself from the . . communion of the rest of Christianity; ought not far weightier causes" than these "to be expected[d]?"

One mistake begets another, as one circle in the water doth produce another. We have made no such separation from any just authority, instituted by the Catholic Church. We nourish a more Catholic communion than themselves. But if our steward will forsake us, because we will not give him leave to become our master, who can help it?

[The Papal sovereignty not of Divine institution, nor Henry VIII.'s humours any grounds of our separation.]

Thirdly, he 'supposeth,' that "by setting aside this supreme Head eternal dissentions will inevitably follow in the whole Church of Christ;" and then demandeth, "Whether the refusal to comply with the humours of a lustful prince be ground enough to renounce so necessary an authority[e]?"

How should "the *refusal* to comply" be any such ground? Certainly he means, 'the compliance with the humours of a lustful prince.' I pass by the extravagancy of the expression. Whatsoever they have said, or can say, concerning Henry the Eighth, so far as it may reflect upon the Church of England, is cleared in my reply to R. C.[f]

First, he begs the question. Christ never instituted, the Apostles never constituted, the Catholic Church never acknowledged, any such supreme Head of power and jurisdiction.

Secondly, the Church and kingdom of England had more lawful, just, and noble grounds for their separation from the

[c] [Ibid., p. 316.]
[d] [Ibid.]
[e] [Ibid.]
[f] [See above in the Replic. to the Bp. of Chalced., c. iii. sect. ii. pp. 99—101. c. vi. sect. 1. pp. 187-193.]

Court of Rome, than any base parasitical 'compliance with the humours' of any prince whatsoever; as he cannot choose but see in this very chapter[g]. But who is so blind as he that will not see? Discourse III.

Thirdly, we do confess, that the primitive Papacy—that is, an "*exordium unitatis*"—a "beginning of unity"—was an excellent means of concord. We do not envy the Bishop of Rome, or any honour which the Catholic Church did allow him. But modern Papacy, which they seek to obtrude upon us, is rather (as Nilus saith) 'the cause of all dissentions and controversies of the Christian world[h].'

Lastly, to his demand concerning the English Court and Church,—whether I 'would condescend to the rejection of monarchy, and to the extirpation of episcopacy, for the misgovernment of princes, or abuses of prelates[i],'—I answer, no. But this will not advantage his cause at all, for three reasons;

First, never were any such abuses as these objected, either to princes or prelates, in England;

Secondly, we seek not the extirpation of the Papacy, but the reduction of it to the primitive constitution;

Thirdly, monarchy and Episcopacy are of Divine institution, so is not a Papal sovereignty of jurisdiction. His "parliamentary Prelacy[k]" hath more sound than weight. We need not be beholden to Parliament for the justification of our Prelacy, as he will find that undertakes it.

SECTION THE SIXTH.

[*Of the Sixth Chapter of the Vindication, continued.*]

II. We are now come to the grounds of our separation from the Court of Rome. Reader, observe and wonder! All this while they have been calling to us for our grounds. They have declaimed, that there can be no just grounds of such a separation. They have declared in the hypothesis, II. [*Grounds of our separation from the Court of Rome.*]

[g] [Just Vindic., c. vi. vol. i. pp. 179, &c.] pp. 30, 31.]
[h] Nilus, De Primatu [Papæ, ap. Goldast., Mon. S. Rom. Imp., tom. i.
[i] [Down-Derry, p. 317.]
[k] [Ibid.]

PART I. that we had no grounds, but "to comply with the humours of a lustful prince." Now we present our grounds, being reduced to five heads.—

First, the most intolerable extortions of the Roman Court, committed from age to age without hope of remedy.

Secondly, their most unjust usurpations of all rights, civil, ecclesiastical, sacred, and profane, of all orders of men, kings, nobles, Bishops, &c.

Thirdly, the malignant influence and effects of this foreign jurisdiction, destructive to the right ends of ecclesiastical discipline, producing disunion in the realm, factions and 271
animosities between the Crown and the Mitre, intestine discord between the king and his barons, bad intelligence with neighbour princes, and foreign wars.

Fourthly, a list of other inconveniences, or rather mischiefs, that did flow from thence: as, to be daily subject to have new articles of Faith obtruded upon them, [to be] exposed to manifest peril of idolatry, to forsake the communion of three parts of Christendom, to approve the Pope's rebellion against general Councils, and to have their Bishops take an oath contrary to their oath of allegiance—to maintain the Pope in his rebellious usurpations.

Lastly, the weakness of the Pope's pretences, and the exemption of the Britannic Church from foreign jurisdiction by the decree of the general Council of Ephesus[l].

Certainly he ought to have shewed, either that these grounds conjoined were not sufficient, or that they were not true, or that there were other remedies; but he is well contented to pass by them all in silence, which is as much as [to] yield the cause.

[No other remedy for them but separation.] Thus he, "It is then of little concernment to examine, whether his complaints be true or false, since he does not shew there was no other remedy but division[m]."

What? is it "of little concernment" to examine whether the grounds be sufficient or no? It belongs not to me to shew that there was no other remedy, that is, to prove a negative; but if he will answer my grounds, it belongs to him to shew that there was other remedy. Yet, so far as a negative is

[l] [Just Vindic., c. vi. vol. i. pp. 179—192.]

[m] [Down-Derry, p. 317.]

capable of proof, I have shewed even in this chapter, that there was no other remedy. I shewed, that the Pope and his Court were not under the jurisdiction of the king or Church of England, so as to call them to a personal account[n]. I shewed, that the English nation had made their addresses to the Pope, in Council, out of Council, for ease from their oppressions, in divers ages, and never found any but what they carved out to themselves at home after this manner[o]. Discourse III.

He adds, "And much more, since it is known, if the authority be of Christ's institution, no just cause can possibly be given for its abolishment[p]."

This is a very enthymematical kind of arguing. 'If the sky fall, we shall have larks.' He knows right well, that it is his assumption, which is latent, that we deny;—that we have abolished anything which either Christ or His Church did institute.

He proceedeth, "But most, because all other Catholic countries might have made the same exception which England pretends, yet they remain still in communion with the Church of Rome[q];" and after we have "broke the ice," do not hold it "reasonable to follow our example[r]." [Other countries not equally oppressed.]

Few or no Catholic countries have sustained so great oppression from the Court of Rome as England hath, which the Pope himself called his "garden of delight," a "well that could not be drawn dry[s]." All other countries have not right to the Cyprian privilege to be exempt from foreign jurisdiction, as Britain hath. Yet all other Catholic countries do maintain their own privileges inviolated, and make themselves the last judges of their grievances from the Court of Rome. Some other Catholic countries know how to make better use of the Papacy than England doth; yet England is not alone in the separation, so long as all the Eastern, Southern, Northern, and so great a part of the Western Churches have separated themselves from the Court of Rome, and are separated by them from the Church of Rome, as well

[n] [Just Vindic., c. vi. vol. i. p. 193.]
[o] [Ibid., pp. 193—196.]
[p] [Down-Derry, p. 317.]
[q] [Ibid.]
[r] [Ibid., p. 318.]
[s] [Matt. Paris., Hist. Angl., in an. 1246. p. 705.]

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as we. Yet, if it were otherwise, we must live by precepts, not by examples.

[We have only *done* what our ancestors *threatened* to do.]

Nay (saith he), "the former ages of our country had the same cause to cast the Pope's supremacy out of the land, yet rather preferred to continue in the peace of the Church than attempt so destructive an innovation[t]."

Mistake not us so much. We desire to live in the peaceable communion of the Catholic Church, as well as our ancestors, as far as the Roman Court will give us leave. Neither were our ancestors so stupid to see themselves so fleeced and trampled upon and abused by the Court of Rome, and to sit still in the mean time, and blow their noses. They did by their laws exclude the Pope's supremacy out of England, so far as they judged it necessary for the tranquillity of the kingdom; that is, his patronage of Churches, his legates and legantine courts, his Bulls and sentences and excommunications, his legislative power, his power to receive appeals, except only in cases where the kingdom did give consent. They threatened him further to "make a wall" of separation between him and them[u]. We have more experience than our ancestors had, that their remedies were not 272
sovereign or sufficient enough; that if we give him leave to thrust in his head, he will never rest until he have drawn in all his body after, whilst there are no bonds to hold him but national laws.

[The grounds assigned by the author *just* grounds, whether they were the *real* grounds or not.]

Lastly, he pleads, that "the pretences, on which the English schism was originally made, were far different from those which I now take up to defend it[x]."

What inward motives or impulsives our Reformers had to separate from the Court of Rome, God knoweth, not I; that concerneth themselves, not me. But that there were sufficient grounds of separation, I demonstrate; that concerneth the cause, that concerneth me. Their inanimadvertence might make the separation less justifiable to them, but no less lawful in itself, or to us. These causes are as just grounds to us, now to continue the separation, as they could have been to them then, if they had been observed, to make the separation; and most certainly they were then observed,

[t] [Down-Derry, p. 317.]
[u] [Matt. Paris., Hist. Angl., in an. 1246. p. 701.]
[x] [Down-Derry, p. 318.]

or the greatest part of them, as the liberty of the English Church, the weakness of the Pope's pretences, the extortions of the Court of Rome, their gross usurpation of all men's rights, and the inconsistency of such a foreign discipline with the right ends of ecclesiastical jurisdiction. These things he ought to have answered in particular, if he would have said any thing at all; but it seemeth he chose rather to follow the counsel of Alcibiades to his uncle, when he found him busy about his accounts, that he should "study rather how to give no account[y]."

SECTION THE SEVENTH.

[*Of the Sixth Chapter of the Vindication, continued.*]

III. The next thing which I set forth, was the due moderation of the Church of England in their Reformation[z]. This he calleth "a very pleasant topic[a]." '*Quicquid recipitur, recipitur ad modum recipientis.*' The saddest subjects were very pleasant topics to Democritus.

III. [The due *moderation* of the Church of England in their Reformation.]

1. The first part of our moderation was this,—we deny not to other Churches the true being of Churches nor possibility of salvation, nor separate from the Churches but from their accidental errors[b]; and this I shewed to have been St. Cyprian's moderation, whereby he purged himself and his party from schism, "*neminem judicantis,*" *&c.*—"judging no man, removing no man from our communion, for difference in opinion[c]." This is, saith he, "to declare men idolaters," and "wicked, and nevertheless to communicate with them, reconciling thus light to darkness, and making Christ and Antichrist to be of the same society[d]."

1. [That we forbear to judge other Churches.]

I spake of our forbearing to censure other Churches, and he answers of communicating with them. That is one aberration from the purpose. But I may give him more advantage than that in this case. It is one thing to communicate with material

[y] Plut. [in Vitâ Alcibiadis, tom. ii. pp. 11, 12. ed. Bryant.]
[z] [Just Vindic., c. vi. vol. i. pp. 197—200.]
[a] [Down-Derry, p. 318.]
[b] [Just Vindic., c. vi. vol. i. pp. 197, 198.]
[c] [Act. Concil. Carthag. VIII. A.D. 256. De Baptiz. Hæret., ap. Cypr. Op. p. 229.]
[d] [Down-Derry, p. 318.]

PART I. idolaters, heretics, or schismatics, in their idolatry, heresy, or schism, which is altogether unlawful; and it is another thing to communicate with them in pious offices and religious duties, which may in some cases be very lawful. The orthodox Christians did sometimes communicate with the heretical Arians, and the primitive Catholics with the schismatical Novatians, in the same public Divine offices, as I have formerly shewed in this treatise[e]. But they communicated with them in nothing that did favour the heresy of the one, or the schism of the other. The Catholics called the Donatists their "brethren," and professed that they were obliged to call them brethren, as we read in Optatus[f]. But the Donatists would not vouchsafe to acknowledge the Catholics for their brethren; upon this Refuter's principles, that "a man cannot say his own religion is true but he must say the opposite is false," nor "hold his own certain" without "censuring another man's[g]." Yet it was not the Catholics, but the Donatists, that did mingle "light and darkness" together. These following principles are so evident and so undeniable, that no man can question the truth of them without questioning his own judgment.—1. That particular Churches may fall into errors. 2. That all errors are not essentials, or fundamentals. 3. That those errors which are not in essentials, do not destroy the true being of a Church. 4. That nevertheless every one is bound, according to the just extent of his power, to free himself from them. To dote so upon the body as to cherish the ulcers, and out of hatred to the ulcers to destroy the being of the body, are both extremes; that is, so to dote upon the name of the Church as to cherish the errors of it, or to hate the errors so much as to 273
deny the being of the Church.

Preposterous zeal, which is like Hell, hot without light, maketh errors to be essentials, and different opinions different religions, because it will not distinguish between the
1 Cor. iii. 12. good foundation which is Christ, and the hay and stubble that is builded thereupon.

[e] [See above in the Replic. to the Bp. of Chalced., Answ. to Pref., sect. 4. pp. 46, 47.]

[f] [De Schism. Donat., lib. i. cc. 3, 10, 12. See Replic. &c., ibid. sect. 1. p. 31.]

[g] [Down-Derry, pp. 318, 319.]

2. The second proof of our moderation is our inward charity; we leave them unwillingly, as a man would leave his father's or his brother's house infected with the plague, desirous to return so soon as it is cleansed. His answer is, that if we did "manifest it by our external works," they might have "occasion to believe" it[h]. I did prove it by our "external works," namely, our daily prayers for them in our litany, and especially our solemn anniversary prayer for their conversion every Good Friday[i], though we are not ignorant how they do as solemnly anathematize us the day before.

2. [That we leave the Romanists reluctantly.]

3. The third proof of our moderation was this, that we do not challenge a new Church, a new religion, or new holy orders; we obtrude no innovation upon others, nor desire to have any obtruded upon ourselves; we pluck up the weeds, but retain all the plants of saving truth[k].

3. [That we challenge neither a new Church nor a new religion nor new holy orders.]

To this he objects two things:

"First, to take away goodness is the greatest evil," and nothing is "more mischievous than to abrogate good laws and good practices[l]."

[We have plucked up weeds, not good plants.]

This is not to fight with us, but with his own shadow. I speak of taking away errors, and he speaketh against "taking away goodness;" I speak of plucking up weeds, and he speaks against abrogating "good" laws and practices; yea, of "taking away the New Testament[m]." Where is the contradiction between us? These are no weeds but good plants. We retain whatsoever the primitive Fathers judged to be necessary, or the Catholic Church of this present age doth unanimously retain; which is sufficient. We retain other opinions also and practices, but not as necessary articles or essentials. Let him not tell us of the Scots' Reformation, who have no better an opinion of it than it deserves.

His second objection is, that "he, who positively denies, ever adds the contrary to what he takes away; he, that makes it an article that there is no Purgatory, no Mass, no prayer to Saints, has as many articles as he who holds the contrary: therefore this kind of moderation is a pure folly[n]."

[Our negatives not articles of Faith.]

[h] [Down-Derry, p. 319.]
[i] [Just Vindic., c. vi. vol. i. p. 199.]
[k] [Ibid., pp. 199, 200.]
[l] [Down-Derry, p. 319.]
[m] [Ibid.]
[n] [Ibid.]

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It may be he thinketh so in earnest, but we know the contrary. We do not hold our negatives to be articles of Faith. How should a negative, that is, a '*non ens*,' be a fundamental? This is a true proposition, either there is a Purgatory, or there is not a Purgatory. But this other is a false proposition, either it is an article of Faith that there is a Purgatory, or it is an article of Faith that there is no Purgatory. Faith is a certain assent grounded upon the truth and authority of the revealer, opinion is an uncertain inclining of the mind more to the one part of the contradiction than the other. There are a hundred contradictions in theological opinions between the Romanists themselves, much greater than some of these three controversies, wherein he instanceth. Yet they dare not say, that either the affirmatives or negatives are articles of Faith.

In things not necessary, a man may fluctuate safely between two opinions indifferently, or incline to the one more than the other without certain adherence, or adhere certainly without faith. We know no other necessary articles of faith, but those which are comprehended in the Apostles' Creed.

4. [That we are ready to believe and practise what the Catholic Church believes and practises.]

4. The last proof of our moderation was our readiness in the preparation of our minds to believe and practise whatsoever the Catholic Church, even of this present age, doth universally believe and practise. "This," he saith, "is the greatest mock-fool proposition of all the rest[o]."

[We do not say there is no Universal Church.]

Wherefore? For two reasons.

First, "we say there is no universal Church[p]."

Then we have not only renounced our Creed, that is, the badge of our Christianity, whereof this is an express article, but our reason also. If there be many particular Churches, wherefore not one universal Church, whereof Christ Himself is Head and King? His only ground of this calumny is, because we will not acknowledge the Roman Church, that is, a particular Church, to be the universal Church.

[*Our* Universal Church not indeterminate.]

The second reason is, because we say, if there be a Catholic 274
Church, it is "indetermined, that is, no man knows which it is[q]."

Then it is all one as if it were not. '*Non existentis et non*

[o] [Ibid., p. 320.]
[p] [Ibid.]
[q] [Ibid. "indetermi*nate*."]

apparentis eadem est ratio.' It is a brave thing to calumniate boldly, that something may stick. We know no 'virtual' Church indeed, that is, one person, who hath in himself eminently and virtually as much certainty of truth and infallibility of judgment as the universal Church; but we acknowledge the 'representative' Church, that is, a general Council, and the 'essential' Church, that is, the multitude, or multitudes, of believers, either of all ages, which make the symbolical Church, or of this age, which make the present Catholic Church. But '*mala mens, malus animus.*' He knoweth right well, that they themselves are divided into five or six several opinions what that Catholic Church is, into the authority whereof they make the last resolution of their Faith[r]. So it is not true of us, but of themselves it is true, that their Catholic Church is "indeterminate," that is, they 'know not certainly what it is.'

SECTION THE EIGHTH.

[*Of the Seventh Chapter of the Vindication.*]

[The fifth ground stated in the Vindication; viz. that the king and Church of England did no more than Roman Catholic countries have either done or pleaded for.]

My fifth ground was, that what the king and Church of England did, in the separation of themselves from the Court of Rome, is no more than all other princes and republics of the Roman communion have done in effect, or pleaded for, that is, made themselves the last judges of their own liberties and grievances. For proof whereof I instanced in the emperors, the kings of France, and the liberties of the Gallican Church, the kings of Spain in their kingdoms and dominions of Sicily, Castile, Flanders, the kings of Portugal, the republic of Venice; and in all these particular cases which were in difference between the Popes and us, concerning the calling of ecclesiastical synods, making of ecclesiastical laws, disposing benefices, reforming the Churches within their own dominions, rejecting the Pope's sentences, Bulls, legates, nuncios, shutting up their courts, forbidding appeals, taking away their tenths, first fruits, pensions, im-

[r] [See Protestants' Ordination Defended (p. 1020. fol. edit.), Disc. vii. Pt. iv.]

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positions, &c.[s]" To all which neither R. C. nor S. W. answers one word in particular. Yet he pays me in generals. '*Vir dolosus versatur in generalibus.*' If his cause would have borne it, we had had a more particular answer.

[No "contradiction" in the author's words.]

First, he asketh, "what nonsense will not an ill cause bring a desperate man to[t]?"

'*Concedo omnia*'—I grant all, saving only the application. He must seek for the "nonsense," and the "ill cause," and the "desperate man" nearer home. But what is the ground of his exception? nothing but a "contradiction." First, I "would persuade the world that Papists are most injurious to princes, prejudicing their crowns, and subjecting their dominions to the will of the Pope," and when I have "scarce done saying so, with a contrary blast I drive as far back again, confessing all I said to be false, and that the same Papists hold the doctrine of the Protestants in effect[u]." If he will accuse other men of "contradiction," he must not overshoot himself so in his expressions, but keep himself to the rules of opposition—'*ad idem, secundum idem, et eodem tempore.*' Papists may be injurious to princes in one respect, and do them right in another. They may be disloyal at one time, and loyal at another. Here is no shadow of "contradiction." But his greatest fault is to change the subject of the proposition. I did not plead, either that Papists were injurious to princes, or that the same Papists did hold the very doctrine of the Protestants, nor so much as mention Papists in general, either to justify them or to accuse them. But I said, that the Pope and the Court of Rome had been injurious to Roman Catholic princes, and that Roman Catholic princes with their party had done themselves right against Popes and their Court. Here is no "contrary blast," nor "contradiction," any more than it is a contradiction to say, that the Guelphs maintained the Pope's cause against the emperor, and the Ghibilines maintained the emperor's cause against the Pope, because both factions were Roman Catholics, both Italians.

[Doctrine of the Papal su-

He urgeth, that the Popes did "not cast out of their communion" those "Catholic divines" who opposed them, which

[s] [Just Vindic., c. vii. vol. i. pp. 200—246.]

[t] [Down-Derry, p. 320.]

[u] [Ibid.]

argueth, that it is not the Roman "religion, nor any public tenet in their Church, that binds any to these rigorous assertions which the Protestants condemn[x]." Discourse III. — [premacy a tenet of the *Court* of Rome, and enforced by excommunication.]

I know it is not their "religion." Our religion and theirs is the same. I know it is not the general tenet of their Church. But it is the tenet of the Court of Rome, and the governing party amongst them. It is but a poor comfort to one that is oppressed by their Court, to know that there are particular doctors which hold that he is wronged. But to his question. Did the Pope never excommunicate those doctors that opposed him? Yes, sundry times, both princes and doctors, and whole nations. Sometimes he spared them: perhaps he did not take notice of them whilst they were living; the Pope and his Court have somewhat else to do than to inquire after the tenets of private doctors: perhaps they lived about the time of the Councils of Constance and Basle, when it had been easier for the Pope to have cast himself out of his throne, than them out of the Church: or perhaps they lived in places without his reach; he knows who it was that said, "My lord the emperor, defend me with the sword, and I will defend thee with my pen[y]." What did the Sorbonne doctors in former ages value the Court of Rome? Now of late the Court of Rome have learned another method,—to purge their doctors, when they displease them. It is a shrewd sign, when men are glad to cut out the tongues of their own witnesses.

Here he falls into a bitter invective against our "bloody laws, and bloodier execution[z]." It is hard when *they* come to accuse *us* of blood-guiltiness; I could requite him with a black list of murders and massacres to the purpose indeed. The Waldenses alone might furnish me with over much store of matter; whose first beginning is so ancient, that it seemeth to me like the spring-head of Nilus, scarcely to be searched out. But innocent blood crieth loud enough of itself, without help. I choose rather at this time to use the buckler than the sword. The accusation of them is no acquittal of us. Whatsoever he saith here against the Church or state of England for cruelty, is clearly and satis- [Our penal laws.]

[x] [Ibid., p. 321.]

[y] [Viz. William of Occham to the emperor Lewis of Bavaria.]

[z] [Down-Derry, p. 321.]

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factorily answered in my reply to the Bishop of Chalcedon [a], whither I refer him.

[Temporal supremacy of the Pope a doctrine of *some* Roman Catholics, although not of *all*.]

Afterwards he telleth, how "unlucky" I am "in this chapter," that do "absolutely clear their religion of calumny, which Protestants most injuriously charge upon them, that their vassalage to the Pope destroys their subjection to their prince, by citing so many instances, where Catholics remaining such have disobeyed the Pope [b]."

Their religion is the same with ours, that is, Christian; and needeth not to be cleared from being a source of sedition, or an incentive to rebellion. *It* is not accused by us. But the envious man hath sowed tares among the wheat. No man can deny but that seditious opinions have been devised and dispersed and cherished in the Church of Rome in this last age, which were destructive to loyalty and due subjection to princes; and how some of our own countrymen came to be seasoned with these pernicious principles more than other nations, I have partly shewed in the place alleged [c]. The instances by me cited in this chapter were before these poisonous opinions were hatched, and so are altogether impertinent to that purpose for which he urgeth them. They prove, that those Roman Catholics at that time were loyal subjects; they do not prove, that all Roman Catholics at this time are loyal subjects; that were to infer a general conclusion from particular premisses, or to argue *à minore ad majus affirmativè*, which is mere sophistry. But I shall readily grant more than he proveth, and as much as he can seek with reason,—that those seditious doctrines were never generally received, nor yet by the greater and sounder part of the Roman Church, and that at this day I hope they are almost buried. If ever God be so gracious unto us, as to suffer us to meet together in a Council or assembly, either of the Christian world, or of the Western Church; the first thing to be done were to weed out all seditious opinions, both among them and us, which are scandalous to religion, and destructive to all civil societies [d].

[Matt. xiii. 25.]

[a] [Supra,] c. iii. sect. 4. [pp. 109, &c.]

[b] [Down-Derry, pp. 322, 323.]

[c] Supra, chap. iii. sect. 4. [pp. 112, &c. See also Jer. Taylor's Sermon on the Anniv. of the Gunpowder Plot, Works, vol. vi. pp. 581—590, 600—609.]

[d] [See the Answ. to La Millet., vol. i. p. 42. Disc. i. Pt. i.]

In the next place, he fancieth to himself a platform of the Christian Church :—that "Christ, being to build His spiritual kingdom upon the basis . . of a multitude of earthly kingdoms, saw it necessary to make . . a bond of unity betwixt the Churches;" that "for this reason He gave the principality among His Apostles to St. Peter, and consequently to his successors" the Bishops of Rome, which "one" see "might by the ordinary providence of Almighty God keep a continuance of succession from St. Peter to the end of the world," which "the vicissitude of human nature permitted 276 not to all the Apostolical sees."—"Hence Rome is invested with the privilege of Mother and Mistress of the Church," and "the hinge upon which . . the common government and unity" of the Church "depends, which being removed, the Church vanisheth into a pure anarchy [e]."

Discourse III.

[S. W.'s fancied platform of the Christian Church.]

Excellently well contrived. Sir Thomas More's Utopia, or my Lord Verulam's new Atlantis, may give place unto it. What great pity it was, that he had not been one of Christ's counsellors when He first formed His Church! Only it seemeth a little too saucy with Christ. Christians should argue thus,—Christ formed His Church thus, therefore it is the best form; not thus,—this is the best form, therefore Christ formed His Church after this manner.

The old hermit prayed to God for rain and fair weather for his garden, as he thought most expedient for it, and had his desire, yet his garden did not prosper; whereas other gardens which wanted that special privilege prospered well. His brother hermit told him the reason of it,—"Thou fool, didst thou think thyself wiser than God."

I wonder he did not go one step higher, to make the Bishop of Rome universal emperor also; for prevention of civil wars and bloodshed among Christians: and so he might have been "*rex idem hominum divumque sacerdos* [f]."

Now let us take his frame in pieces, and look upon it in parcels. St. Paul reckons up (not one but) seven bands of unity among Christians,—"one Body, one Spirit, . . one hope of our calling, one Lord, one Faith, one Baptism, one God and Father of all." First, "one Body;"—what can be

1. [The Pope not included in St. Paul's bands of unity.] Eph. iv. 4—6.

[e] [Down-Derry, pp. 323, 324.]

[f] [Virg., Æn., iii. 80.]

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more prodigious than for the members of the same Body to war one with another? "One Spirit;"—that is, the Holy Ghost, Which is the soul that enliveneth the Church; can there be a better bond of unity to the body, than the soul? "One hope of our calling;"—we must be all friends in Heaven; why do we bite and kick one another in the way thither? "One Lord," by Whose blood we are redeemed;—should they pursue one another as mortal enemies, who serve the same Lord? "One Faith," delivered by the Apostles;—do not adulterate it with new devices, to raise contentions. "One Baptism;"—we are marked with the same cognizance, we use the same word, we fight under the same standard; why do we mistake one another for enemies? Lastly, "One God and Father of all, Who is above all" by His excellency, "through all" by His providence, and "in all" by the inhabitation of His grace; "above all" as Father, "through all" as Son, "in all" as Holy Ghost: for Christian to fight against Christian, is to divide this one God, and commit Him against Himself. Among all these bands of unity, why did St. Paul forget '*unus Papa*'—one Bishop of Rome, or spiritual monarch? If there had been any such thing, here had been the proper place for it.

2. [A principality given to St. Peter, but one of order.]

Secondly, I will not dispute with him about this, whether Christ did "give" St. Peter a "principality among the Apostles;" so he do not rob Paul to clothe Peter, but likewise consent to me, that this was but a principality of order; and that the principality of power did rest in the College of the Apostles there, and now in their successors a general Council; which is a sufficient band of unity, as I have formerly demonstrated [g]. I wish this Refuter had expressed himself more clearly, whether he be for a 'beginning of order and unity,' or for a single Head of power and jurisdiction; for to me he seemeth to hover between two, as if he would gladly say more for the Pope if he could.

3. [And to his successors, but not in the See of Rome.]

Thirdly, it followeth, "and consequently to his successors."

I like the general proposition well enough—"and consequently to his successors." For the reason of the first

[g] [Above in the Replic., c. v. sect. 1. pp. 155, 156.]

institution, being of perpetual necessity, seemeth to imply strongly, that such a Headship of Order ought to continue in the Church, or at least may lawfully be continued in the Church. But I like not his application to the Bishops of Rome, or "his successors" in the see of Rome. That consequence is but like a rope of sand. There is no necessity at all, that he who succeedeth a man in a particular Bishopric, should succeed him in a higher office, which is not annexed to that Bishopric. As if a man should argue thus;—such a Bishop of such a see died Lord Chancellor of England; therefore all succeeding Bishops of the same see must succeed him likewise in the Chancellorship of England. If the Catholic Church do nominate the Bishop of Rome for the time, that is another matter; but that is no perpetuity to the Bishops of that see for ever, whether the Church will or not.

277 Certainly, Christ did leave the chief managery of His family to His Spouse, that is, the Church, and not to any single servant, further than as subservient to His Spouse. But to make Rome to be the "Mistress of the Church," as this Refuter doth, and the Bishop of Rome the Master of the Church, is such an indignity and affront, as no husband would tolerate; much less Christ, who is proposed to all husbands as the perfect pattern of conjugal love,—"Husbands, love your wives as Christ loved the Church." Eph. v. 25.

His argument drawn from "the vicissitude" of human affairs, cuts the throat of his cause. For what privilege hath Rome from this vicissitude more than other places? It may be demolished and destroyed by enemies; it may be swallowed by an earthquake, as some great cities have been; it may become heretical or Mahometan. And in all these cases must it still continue "Mistress of the Church?" That were a hard condition. '*Nemo sapiens ligat sibi manus;*'—the Church never disposeth so of her offices, that she may not be able to move the rudder according to the change of wind and weather, and to change the managery of ecclesiastical affairs according to "the vicissitude" of human things. [Rome has no privilege of continuance more than other places.]

Let not the Refuter trifle between a "primacy" of order, and a supremacy of power. A tyranny and an anarchy are the two extremes. The Church may shake off tyranny, and [A primacy of order not to be confounded with a su-

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yet not "vanish into a pure anarchy[h]," nor "the frame" thereof "be utterly dissolved[i];" these are but made dragons. Between a tyranny and an anarchy there is an aristocracy, which was the ancient regiment of the Christian Church. They know no monarch but Christ their spiritual King. A primacy of order is as sufficient, nay, more sufficient in this case, to prevent all these dangers which he seemeth to fear, and to procure all those advantages which he mentioneth, than a supremacy of power. And I hold it a reasonable proposition, that whosoever is admitted to the one, should disclaim the other.

[The Pope the Church's minister, not her lord.]

In the next passage he forgetteth himself over much, when he maketh the Pope's "principality" to be "the bridle which our Saviour hath put into the mouth of His Church[k]." So he makes the Church to be the beast, and the Pope's office to be to ride upon the Church. No, he quite mistaketh the matter. Our Saviour hath put the bridle into the *hand* of His Church,—"*Dic Ecclesiæ*"—"tell it to the Church,"—not into the *mouth* of His Church; and the Pope at the best is but one of the Church's escuriers.

[Matt. xviii. 17.]

[The Papacy to be judged by what it is, not by what it ought to be.]

Next, he proclaimeth the advantages of the Papacy. He doth well to cry up his cause: 'no man proclaimeth in the market that he hath rotten wares to sell.' But it is but with an If, "*If* this authority were duly preserved and governed, . . no dissention in Faith or discipline, nay, not any war among Christian princes, could annoy the world." . . "What Christian prince can choose but be glad to have an arbitrator so prudent, so pious, so disinteressed as a good Pope should be[l]?"

He brings to my mind our old distinction between Plato and Aristotle, "*Plato scripsit somnians, Aristoteles vigilans*"—"Plato writ dreaming, and Aristotle waking;" the one looked upon men as they ought to be, and the other as they were, which was much more proper for one that was to write politics. If all things were as they "should be," we should have a brave world: but if we look upon the case without an "If," or as he "should be," we shall find the Papacy as it is settled, or would have been, so far from deserving these

[h] [Down-Derry. p. 324.]
[i] [Ibid.]
[k] [Ibid., p. 325.]
[l] [Ibid.]

eulogiums which he gives it, that it hath been the cause, either procreating, or conserving, or both, of all the schisms and all the greater ecclesiastical dissentions in Christendom[m], and rather an incentive to war for its own interest and advantage, than a means of peace and reconciliation among Christian princes.

But now, reader, look to thyself that thou receive no hurt; for he hath undertaken to let us see "all the arrows," which I "have shot against them, falling down upon mine own head[n]."

[The Papacy does not stand firm in the countries which have not been reformed.]

Yes, at the Greek Calends, when an oblique and a perpendicular motion are the same. But let us see how he attempts to prove it;—Because "the Papacy stands firm and strong in all these countries, which have resisted the Pope, when they conceived that he encroached on their liberties," &c., "whereas the Reformation" has made England "a headless synagogue, without brotherhood or order[o]."

Neither so, nor so. The Eastern, Southern, and Northern Churches admit no Papacy, nor any thing higher than the chiefest Patriarch. A great part of the Western Churches
278 have shaken off the Roman yoke; and the rest who do still acknowledge the Papacy, do it with such cautions and reservations and restrictions, especially France and Sicily, that I think the Cardinal legate in the Council of Trent had reason to say, that 'he would rather persuade the Pope to give up his Keys to St. Peter than hold them upon such terms[p].' I believe, not one of them all doth admit such a Papacy, as the Roman Court endeavoured to have obtruded upon them.

[England no "headless synagogue without brotherhood or order."]

Whereas he styleth England "a headless synagogue without brotherhood or order," he seeth or may see, that, for "order," we are as much for it as himself; for Christian "brotherhood," we maintain it three times larger than himself; and for his "headless synagogue," they want no head who have Christ for a spiritual Head, a general Council for an ecclesiastical Head, and a gracious Christian prince for a political Head. That title would better have become themselves

[m] [See the Append. to the Life of Bramhall, vol. i. p. xvii.; Just Vindic., c. viii. ibid. pp. 246, &c.; and Nilus, De Primatu Papæ, as quoted p. 307. note h.]

[n] [Down-Derry, p. 325.]

[o] [Ibid., pp. 325, 326.]

[p] [Pad. Paolo, Hist. Concil. Trident., an. 1545. lib. ii. p. 94.]

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about two or three months since[r], who sometimes have two or three heads, sometimes a broken head, sometimes never a head.

The Protestants do not attempt to make themselves a distinct body from the rest of the Christian world, much less do they arrogate to themselves alone the name of the true Church, as the Romanists do; but they content themselves to be part of the Catholic Church. That they have any differences among them either in doctrine or discipline, it is the fault of the Court of Rome, which would not give way to an uniform reformation of the Western Church; but that their controversies are neither so many, nor of any such moment, as he imagineth, the Harmony of Confessions[s], published in print, will demonstrate to all the world. So far is he wide from the truth,—that they have no more unity than a body composed of Turks, Jews, heretics, and Christians[t]; who have neither the same "Body," nor the same "Spirit," nor the same "hope of their calling," nor the same "Lord," nor the same "Faith," nor the same "Baptism," nor the same "God" to their "Father." But he saith, our Faith consisteth in unknown fundamentals, which is "a mere shift, until we exhibit a list of such points[u]." We need not; the Apostles have done it to our hands in the Creed; and the Primitive Church hath ordained, that no more should be exacted of any, of Turks or Jews, in point of Faith, when they were converted from Paganism or Jewism to Christianity[x].

SECTION THE NINTH.

[*Of the Eighth Chapter of the Vindication.*]

[The sixth ground stated in

In the eighth chapter I proved, that "the Pope and the Court of Rome were most guilty of the schism;" and shall

[r] [It appears from the Replic. (see c. viii. sect. 2. p. 240. note n.), that that treatise was written between the death of Innocent X. and the election of Alexander VII: and this Appendix was probably added a month or two subsequently.]

[s] [Corpus et Syntagma Confess. Fid. Divers. Eccles., cum Cathol. consensu Patr., Genev. 1612 et 1654.]

[t] [Down-Derry, p. 326.]

[u] [Ibid., p. 326.]

[x] [Concil. Ephes. P. ii. Act. 6. c. 7. ap. Labb., Concil., tom. iii. p. 689. A.]

not need to repeat or fortify any thing, that which he opposeth being of so little consequence.

the Vindication; viz. that the Pope and Court of Rome were most guilty of the schism.]

To the first argument, he denieth, that the Church of Rome is but a sister or a mother, and not a mistress, to other Churches;—"It is their saying it, and our denying it" (saith he), "till they have proved what they affirm [y]."

1. [The Church of Rome not the mistress of other Churches.]

To gratify him, I will do it, though it be needless. Let him consult with St. Bernard, in his fourth book of Consideration to his "most loving" friend Eugenius the Pope; so he styles him,—"*Amantissime Eugeni* [z]." If they would listen to St. Bernard's honest advice, it would tend much to the peace of Christendom. "*Si auderem dicere*"—"if I durst say it, these are the pastures of devils rather than of sheep [a]." And, "*Exi de Hur Chaldæorum*," or, "Go out of this Hur of the Chaldeans" (Rome); . . "it will not repent thee of thy banishment to have changed the city for the world [b]." But to satisfy his demand. Thus that Father,—"*Consideres ante omnia sanctam Romanam Ecclesiam cui Deo auctore præes Ecclesiarum Matrem esse non Dominam, te verò non Dominum Episcoporum sed unum ex ipsis*"—"Above all things consider, that the holy Roman Church, over which thou art placed by God, is a Mother of other Churches, not a Lady or Mistress, and thou thyself art not a Master of other Bishops, but one of them [c]."

2. [The *Court* of Rome obtrudeth new Creeds.]

Secondly, he denieth, that the Church of Rome "obtrudeth any new Creeds [d];" whereas I accused not the *Church* of Rome for it, but the *Court* of Rome, and for proof produced the Bull of Pius the Fourth in the point, as it is set down at the end of the Council of Trent; wherein he sets forth a new form of Confession of Faith, containing many new articles, which he enjoineth all the clergy and all religious persons to swear unto; and that they will teach it to all others under
279 their charge, that there may be an uniform confession of Faith among Christians, "*extra quam non est salus*"—"without which there is no salvation [e]." If he deny this autho-

[y] [Down-Derry, p. 327. from Just Vindic., c. viii. vol. i. p. 247.]

[z] S. Bernard., De Consider. [adv. Eugen. Papam,] lib. iv. [ap. Goldast., Monarch. S. Rom. Imp., tom. ii. p. 83.]

[a] [Ibid., p. 84.]

[b] [Ibid., p. 85.]

[c] [Ibid., p. 88.]

[d] [Down-Derry, p. 327. from Just Vindic., c. viii. vol. i. pp. 247, 248.]

[e] [Bull. Pii II. in Act. Concil. Trident., ap. Labb., Concil., tom. xiv. pp. 944—946.]

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rity, he and I are nearer an union than the Court of Rome and he.

3. [The Pope maintained in his rebellion against a general Council.]

My third argument was,—because they maintain the Pope in his rebellion against a general Council[f]. To this argument he answers not a word; so as I am confirmed more and more in my suspicion, that notwithstanding all his specious pretences for the Papacy, he himself is one of those, who prefer the Council before the Pope, and attribute to the Pope only an "*exordium unitatis.*" But he spareth me not upon the by, telling the reader, that I "lay the axe" not "to the root of schism" but "to mine own legs," and bids me "good night," my "wits are in the dark[g]." If it were so that I should steal a nap, it is neither felony nor treason; "*aliquando bonus dormitat Homerus*[h]." But what is it that raiseth this great wind of words? Forsooth, because I say, that "the Papacy (*qua talis*), as it is now maintained by many, with superiority above general Councils," &c. "is the cause, either procreant, or conservant, or both, of all, or the most part of the schisms in Christendom[i]."—"To say 'as it is maintained by many,' doth imply, that it is not" so "maintained by all, and therefore not 'the Papacy *qua talis*;' for so Catholics have not the least difference among them[k]." He might as well tell us, that wherein they all agree, they have no difference. But do not some Roman Catholics subject the Pope to a general Council, and other[s] subject a general Council to the Pope? Do not the greater part of them, both for number, dignity, and power, who sit at the stern, who hold the "bridle" (that he spoke of even now[l]) in their hands, to govern the Church, subject a general Council to the Pope? And then might not I say well "the Papacy *qua talis?*" My conclusion was not against the Church of Rome in general, but against the Pope and Court of Rome, —that *they* were guilty of schism. And now, to let him see that I did not sleep, I will reduce mine argument into form, without a "*qua talis.*" They who subject a general Council, which is the highest tribunal of Christians, to the Pope, are

[f] [Just Vindic., c. viii. vol. i. pp. 248, &c.]
[g] [Down-Derry, p. 327.]
[h] [Hor., A. P. 359.]
[i] [Just Vindic., c. viii. vol. i. p. 248.]
[k] [Down-Derry, p. 327.]
[l] [Above, sect. viii. p. 322.]

guilty of schism; but the Pope and Court of Rome, with all their maintainers, that is, the much greater part of their writers, do subject a general Council to the Pope; therefore they are guilty of schism. Discourse III.

Of the same nature is his exception to my fourth charge. —They who take away the line of Apostolical succession throughout the world except in the See of Rome, who make all Episcopal jurisdiction to flow from the Pope of Rome and to be founded in his laws, to be imparted to other Bishops, as the Popes' vicars and coadjutors assumed by them into part of their charge, are schismatics; but the Pope and Court of Rome, and their maintainers, do thus[m]. 4. [And in his restriction of all Apostolical succession to himself.]

To which his only answer is, that this "is a more gross and false imputation than any of the rest[n];" because it is not their general tenet. Neither did I urge it against them all in general.

But because he takes no notice of these tenets, but as private opinions—"If you will dispute against private opinions, cite your authors, and argue against them, not the Church[o],"—let him know, that these are the most common and most current opinions of their writers. Of the former, Bellarmine saith, that "it is almost *de Fide*"—"a point of Faith[p]." He saith, that the Council of Florence seemed to have defined it, "though not so expressly;" and that the Council of Lateran "hath defined it most expressly[q]." And the words of that Council seem to import no less, that it is "most manifest that the Bishop of Rome hath authority over all Councils"—"*tanquam super omnia Concilia authoritatem habentem*[r]." And for the latter opinion, Bellarmine declares it to be "most true"—"*quæ sententia est verissima*[s];" cites great authors for it; and saith, that it "seemeth to have been the opinion of the old schoolmen[s]," that Bishops do derive all their jurisdiction from the Pope, as all "the virtue of the members is derived from the head," or as all "the vir- [Such tenets the current opinions of Romanist writers.]

[m] [Just Vindic., c. viii. vol. i. pp. 252, 253.]

[n] [Down-Derry, p. 327.]

[o] [Ibid.]

[p] [Bellarm.,] De Concil. [Auctor.], lib. ii. c. 17. [Op. tom. i. p. 1212. D. "Hæc" (propositio, viz. the superiority of the Pope to a general Council) "est fere de Fide."]

[q] [Id., ibid.,] lib. ii. c. 13. [Op. p. 1205. B.]

[r] [Concil. Lateran. Sess. xi, ap. Labb., Concil., tom. xiv. p. 311. E; quoted by Bellarm., ibid. c. 17. p. 1215. B.]

[s] [Bellarm.,] De Roman. Pontif., lib. iv. c. 22. [Op. tom. i. p. 1045. A.]

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tue of the branches springs from the root," or as "the water in the stream flows from the fountain," or as "the light of the beams is from the sun[t]." This is high enough.

SECTION THE TENTH. 280

[*Of the Ninth and Tenth Chapters of the Vindication.*]

[We hold communion with thrice so many Christians as they, but not with heretics.]

I answered, that we hold "communion with thrice so many Christians as they do[u]." He replieth, that "if by Christians I mean those who lay claim to the name of Christ, he neither denies my answer, nor envies me my multitude; for Manichees, Gnostics, Carpocratians, Arians, Nestorians, Eutychians, &c., without number, do all usurp . . the honour of this title;" adding, that he doth "most faithfully protest, he doth not think" I "have any solid reason to refuse communion to the worst of them[x]."

O God, how is it possible, that prejudice and partiality, or a habit of alter[c]ation, should make Christians and pastors of Christ's flock to swerve so far, not only from truth and charity, but from all candour and ingenuity! Wherein can he, or all the world, charge the Church of England, or the Church of Greece, or indeed any of the Eastern, Southern, or Northern Christians, with any of these heresies? It is true, some few Eastern Christians (in comparison of those innumerable multitudes) are called Nestorians, and some others by reason of some unusual expressions suspected of Eutychianism; but both most wrongfully. Is this the requital that he makes to so many of these poor Christians for maintaining their religion inviolated so many ages under Mahometan princes? Yet "Michael the Archangel, when he disputed with the Devil about the body of Moses, durst not bring a railing accusation against him; but said, the Lord rebuke thee." The best is, we are either wheat or chaff of the Lord's floor, but their tongues must not winnow us.

Jude 6.

[t] [Bellarm., ibid.,] c. 24. [ibid. p. 1047. B.]

[u] [There appears to be a clause wanting at the beginning of this section. The objection, to which this is an answer, is, "that we have separated ourselves schismatically from the communion of the Catholic Church." See Just Vindic., c. ix. vol. i. p. 257.]

[x] [Down-Derry, p. 328.]

Manes, a mad man (as his name signifies), feigned himself to be Christ, chose twelve Apostles, and sent them abroad to preach his errors; whose disciples were called Manichees. They made two Gods; one of good, called light; another of evil, called darkness; which evil God did make impure creatures of the more fæculent parts of the matter; he created the world; he made the Old Testament. Hereupon they held flesh and wine to be impure; and marriage to be unlawful; and used execrable purifications of the creatures. They taught, that the soul was the substance of God; that war was unlawful; that brute beasts had as much reason as men; that Christ was not true man, nor came out of the womb of the Virgin, but was a phantasm; that John Baptist was damned for doubting of Christ; that there was no Last Judgment; that sins were inevitable: many of which errors they sucked from the Gnostics and Carpocratians[y]. The Nestorians divided the Person of Christ; and the Eutychians confounded His Natures.—What is this to us, or any of those Churches which we defend? We accurse all their errors. If he be not more careful in making his charge, he will soon forfeit the stock of his credit.

[Many Churches not in communion with Rome have adhered to the doctrine of the Apostles.]

He engageth himself, that if I can "shew" him but "one" Church, which "never changed the doctrine which their fathers taught them as received from the Apostles," which "is not in communion with the Roman Church," he will "be of that one's communion[z]."

I wish he may make good his word. I shew him not only "one," but all the Eastern, Southern, Northern, and I hope Western, Churches, who never changed their Creed; which comprehends all these necessary points of saving truth, which they received from their ancestors by an uninterrupted line of succession from the Apostles. As for opinions or truths of an inferior nature, there is no Church of them all, that hath changed more from their ancestors, even in these very controversies that are between them and us, than the Church of Rome: for the clear proof whereof I refer him to Doctor Field's Appendix to his third Book of the Church, and the

[y] [See Fleury, Hist. Eccl., liv. viii. § 10—12; and Mosh., Comment. de Rel. Christ. ante Constant. M., Sæc. iii. § 41—55; and the authorities there quoted.]

[z] [Down-Derry, p. 328.]

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first part of his Appendix to Four Books, at the latter end of the first chapter[a].

[The Council of Trent not general.]

I pleaded, that the Council of Trent was not general[b]; I had reason. The conditions of a general Council recited by Bellarmine are,—"that the summons be general[c];"—there none were summoned but only out of the Western Church;—that "the four Protopatriarchs be present by themselves or their deputies[d];"—there was not one of them present;—that "some be present from the greater part of all Christian provinces[e];"—there were none out of three parts of four of the Christian world. He saith, 'the other Patriarchs were heretics[f].' Though it were true, yet, until they were lawfully heard and condemned in a general Council, or refused to come to their trial and were condemned for their obstinacy, 281 they ought to have been summoned; yea, of all others, they especially ought to have been summoned. But where were they heard, or tried, or condemned of heresy, by any Council or person that had jurisdiction over them? Others of his fellows will be contented to accuse them of schism, and not pronounce them condemned "heretics." Guido the Carmelite[g] is over partial and temerarious in accusing them without ground; as some of his own party[h] do confess, and vindicate them: and Alphonsus à Castro[i] taketh his information upon trust from him. The plain truth is, their only crime is that they will not submit to the Pope's spiritual monarchy, and so were no fit company for an Italian Council.

[S. W.'s case of a Parliament not parallel.]

His demand—"Is not a Parliament the general representative of the nation, unless every lord though a known and condemned rebel be summoned? or unless every member that hath a right to sit there be present[k]?"—is altogether impertinent. Neither hath the Pope that power over a general Council that the king hath over the Parliament;

[a] [Viz. pp. 185—341, and Append. to the former four Books, c. i. Pt. 4. pp. 812—819. ed. 1628. See also the same Append., Pt. iii. c. 2. p. 883.]
[b] [Just Vindic., c. ix. vol. i. pp. 257, 258.]
[c] [Bellarm., De Concil. [Auctor.], lib. i. c. 17. [Op. tom. i. p. 1136. A.]
[d] [Id., ibid., A. B.]
[e] [Id., ibid., C.]
[f] [Down-Derry, p. 328.]
[g] [Guid. de Perpiniano, Carmelita, Summa de Hæres., cap. de Græc., Paris. 1528, and Colon. 1631.]
[h] [E. g. Leo Allat., De Eccl. Occid. et Orient. Perpet. Consensu, lib. iii. cc. 16—18.]
[i] [Alphons. à Castro, Adv. Hær., Antverp. 1565, and Paris. 1571.]
[k] [Down-Derry, p. 328.]

neither are the Protopatriarchs "known condemned rebels;" neither is this the case, whether the necessary or neglective absence of some particular members, but whether the absence of whole provinces, and the much greater part of the provinces, of Christendom, for want of due summons, do disable a Council from being a "general representative" of the whole Christian world. And as it is impertinent, so it makes altogether against himself. Never was there a session of a national Parliament in England, wherein so few members were present, as were in the pretended general Council of Trent at the deciding of the most weighty controversy concerning the rule of Faith[1]. Never was there lawful Parliament in England, wherein there were more knights and burgesses out of one province than out of all the rest of the kingdom[m]. Never was there lawful Parliament in England, the acts whereof either of one kind or of another might be questioned by any single province, as the acts of the Council of Trent in point of discipline are questioned by the Church of France[m]. The question is not, whether ecclesiastical superiors may forbear to execute, but whether inferiors may renounce and protest against the execution. One of the prime privileges of Parliament is to speak freely; but this was not allowed in the Council of Trent[m].

[Many Bishops at Trent the Pope's pensioners.]

He excepteth against 'some angry expressions of mine,' where I "call the Bishops of Italy 'hungry parasitical pensioners;' . . not foreseeing it might . . be retorted upon mine own condition." And here he addeth in a scoffing manner, "It seemeth, my Lord, you keep a good table, speak the truth boldly, and have great revenues independent of any[n]."

I spake not there out of passion against them, nor of ancient Italian Bishops, but [of] mere Episcopelles, a great part of which were Italians; nor all of them, but only such as were the Pope's creatures, raised and maintained by him for his own ends. Whether these were "his hungry parasitical pensioners," they know best, who know most. As for

[1] [Viz. in the 4th Session, where were present 9 Archbishops and 43 Bishops with the three Cardinal legates: see the list in Labb., Concil., tom. xiv. pp. 745. E, 746. A.]

[m] [See Just Vindic., c. ix. vol. i. pp. 258, 259; and above in the Replic. &c., c. ix. sect. 3. pp. 263, 264.]

[n] [Down-Derry, p. 329. From Just Vindic., c. ix. vol. i. p. 258.]

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myself, I never raised myself by any insinuations, I was never "parasitical pensioner" to any man, nor much frequented any man's table. If mine own be not so good as it hath been, yet contentment and a good conscience is a continual feast, and a golden bed of rest. And I thank God, I can [Job i. 21.] say heartily with holy Job, "The Lord gave, and the Lord hath taken away, blessed be the Name of the Lord." What was this to his cause?

[Quotations from Sleidan.]

To prove the Council of Trent was not free, I cited some things out of the History of that Council, and some things out of Sleidan[o]: to which he answereth nothing but this,—that it is "a false injurious calumny, taken out of Sleidan, accounted by their party a stark liar and forger[p]." This is a very easy kind of refuting; as good as 'Bellarmine, thou liest.'

[The Pope's claim of Patriarchal authority over Britain.]

To the plea of the Patriarchal authority of the Bishop of Rome over Britain, I gave three solutions.

First, that Britain was no part of the Roman Patriarchate.

Secondly, that, although it had been, yet the Popes have both "quitted," and "forfeited" their Patriarchal power, and though they had not, yet it is "lawfully transferred."

Thirdly, that the difference between them and us is not concerning any Patriarchal rights[q].

To none of these doth he offer to give an answer, but only to one passage: where I endeavour to prove, that a spiritual monarchy from Christ and a Patriarchal authority from the Church are inconsistent; from whence the reader may make 282
this collection, that because the Pope was undoubtedly constituted a Patriarch by the Church, therefore as undoubtedly he was not instituted a spiritual prince by Christ[r]. And all the answer that he giveth to this is, that I argue "weakly and sillily[s]." '*Satis pro imperio*;'—this is majestical enough: as if he were another Pythagoras, that we must receive his dictates for oracles. I will set down the argument for the reader's satisfaction. It may be, at the second reading this Refuter will not find it altogether so "weak and silly."—"To

[o] [Just Vindic., ibid.]

[p] [Down-Derry, p. 329. For "stark" read "frank."]

[q] [Just Vindic, c. ix. vol. i. pp. 259—265.]

[r] [Ibid., pp. 260, 261.]

[s] [Down-Derry, p. 329.]

be a Patriarch, and to be an universal Bishop in that sense, are inconsistent, and imply a contradiction *in adjecto*; the one professeth human, the other challengeth Divine, institution; the one hath a limited jurisdiction over a certain province; the other pretendeth to an unlimited jurisdiction over the whole world; the one is subject to the canons of the Fathers, and a mere executor of them, and can do nothing either against them or besides them; the other challengeth an absolute sovereignty above the canons, besides the canons, against the canons, to make them, to abrogate them, to suspend their influence by a *non-obstante*, to dispense with them in such cases wherein the canons give no dispensative power, at his own pleasure, when he will, where he will, to whom he will. Therefore to claim a power paramount and sovereign monarchical regality over the Church, is implicitly and in effect to disclaim a Patriarchal aristocratical dignity[t];"—and, on the other side, the donation and acceptance of such a Patriarchal aristocratical dignity, is a convincing proof that he was not formerly possessed of a sovereign monarchical royalty.

To the point of Sacrifice, he saith, that I "hide" it in "obscure" terms, and "shuffle certain common words in answer[u]." [The omitting to mention Sacrifice in our Ordination.]

I believe his meaning is quite contrary,—that I have set it down over distinctly. If I "shuffle" any thing, I must shuffle my own words, for I see no answer of his to shuffle among them.

His exception against our registers,—that he "could never hear that any Catholic esteemed [judic]ious was ever admitted to a free perusal of them[x],"—shews only, that he understandeth not what our registers are. They are public Offices, whither every man may repair at his pleasure; and if he will be at the charge of a search and a transcription, may not only peruse them freely, but have an authentic copy of any act that is there recorded.

Towards the conclusion of his treatise, he inveigheth against our uncharitableness, that "it is not enough to satisfy our uncharitable eyes, that so many of them have [Our penal laws.]

[t] [Just Vindic., c. ix. vol. i. pp. 260, 261.]

[u] [Down-Derry, pp. 329, 330.]

[x] [Ibid., p. 330.]

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been hanged, drawn, and quartered for their religion;" telling us, that "on all occasions" we "are still upbraiding the liberty given to Papists:" and adviseth us, "never hereafter" to "be so impertinent as to repine at their liberty[y]." Doubtless, he found this in his own fancy; for in my discourse there is nothing either of repining or upbraiding. But this point of the penal laws hath been formerly handled at large[z].

[Infallibility of the Catholic Church.]

Lastly, to his expedient to procure peace and unity, that is, "to receive the root of Christianity, that is, a practical infallibility in the Church[a]",—we do readily acknowledge, that the true Catholic Church is so far infallible as is necessary to the salvation of Christians, that is, the end of the Church. But the greater difficulty will be, what this Catholic Church is; wherein they are not only divided from us, but more among themselves.

[The words with which the Greeks departed from the Pope.]

But because he hath another exception to a testimony of mine in his "Schism Disarmed," I will make bold to give it an answer here also.—"Even when the Grecians were disgusted, and refused unity, they acknowledged the power of the Bishop of Rome; as appears by a testimony of Gerson, cited by your friend Bishop Bramhall against himself, which witnesseth that the Greeks departed from the then Pope with these words, 'We acknowledge thy power, we cannot satisfy your covetousness, live by yourselves[b].'"

Doth he think that "power" is always taken in the better sense? The words are not "potestatem *tuam recognoscimus*" —"we acknowledge thy" *just* "power;" (yet even *potestas* is taken sometimes in the worser sense, as "*potestas tenebrarum*"—"the power of darkness;") but "potentiam *tuam recognoscimus*"—"we acknowledge thy *might*;" which words might be used by a true man to a highway robber. The Greeks accounted the Latins heretics and schismatics, and principally upon this ground of the Pope's claim of a spiritual monarchy; and that Gerson apprehended their words in this sense, it may appear by the context. His position is this,

[Luke xxii. 53. Vulg.]

[y] [Down-Derry, pp. 331, 332.]
[z] [Above, in the Replic. &c., c. iii. sect. 4. pp. 189, &c.]
[a] [Down-Derry, p. 332.]
[b] [Schism Disarmed, Pt. iii. sect. I.] pp. [242.] 243: [from the Just] Vindic., [c. vii. vol. i.] p. [200.]

283 That "men ought not generally to be bound by the positive determinations of Popes, to hold and believe one and the same form of government in things that do not immediately concern the truth of our Faith and the Gospel[c]." From thence he proceedeth to set down some different customs of the Greek and Latin Churches, both which he doth justify; citing St. Austin to prove, that "in all such things the custom of the country is to be observed[d]." And among the rest of the differences this was one, that the Greek Church paid not such subsidies and duties as the Gallican Church did. It seemeth that the Pope would have exacted them; and that thereupon the Grecians did separate from him, using this free expression, "*Potentiam tuam recognoscimus, avaritiam tuam implere non possumus, vivite per vos*"—"We know thy might, we are not able to satisfy thy covetousness, live by yourselves[e]." And from thence the aforesaid author draweth this conclusion, that "*per hanc considerationem bene captam*," &c.—"upon this consideration," they might "proceed to the reformation of the French Church, and the liberties thereof, notwithstanding the contradiction which perhaps some of the Court of Rome would make[f]." There is not one word or syllable herein that maketh against me; but there is both the practice of the Greek Church, and the opinions of Gerson, for the justification of our Reformation and separation from the Court of Rome.

DISCOURSE III.

[c] Gerson, Serm. [coram Reg. Franc.] de Pace et Unit. [Græcor.], Considerat. 7.ma., [Op.] P. iv. [fol. 114. M.]

[d] [Id., ibid., N.; from August., (Epist. 36. § 2. Ad Casulan., Op. tom. ii. p. 68. E.).]

[e] [Id., ibid., O.]

[f] [Id., ibid.]

DISCOURSE IV.

SCHISM GUARDED,

AND

BEATEN BACK UPON THE RIGHT OWNERS.

SHEWING,

THAT OUR GREAT CONTROVERSY ABOUT PAPAL POWER
IS NOT A QUESTION OF FAITH BUT OF INTEREST AND PROFIT;
NOT WITH THE CHURCH OF ROME BUT WITH THE COURT OF ROME;
WHEREIN THE TRUE CONTROVERSY DOTH CONSIST;
WHO WERE THE FIRST INNOVATORS;
WHEN AND WHERE THESE PAPAL INNOVATIONS
FIRST BEGAN IN ENGLAND;
WITH THE OPPOSITION THAT WAS MADE AGAINST THEM.

BY

JOHN BRAMHALL, D.D.,

BISHOP OF DERRY.

"I STAND AT CÆSAR'S JUDGMENT SEAT, WHERE I OUGHT TO BE JUDGED."—Acts xxv. 10.

"DIES DIEI ERUCTAT VERBUM, ET NOX NOCTI INDICAT SCIENTIAM."—Ps. xix. 2.

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TO

THE CHRISTIAN READERS,

ESPECIALLY

THE ROMAN CATHOLICS OF ENGLAND.

CHRISTIAN READER,

THE great bustling in the controversy concerning Papal power, or the discipline of the Church, hath been either about the true sense of some texts of Holy Scripture; as, "Thou art Peter," and, "upon this Rock will I build My Church," and, "To thee will I give the Keys of the Kingdom of Heaven," and, "Feed My sheep:" or about some privileges, conferred upon the Roman See by the canons of the Fathers, and the edicts of emperors, but pretended by the Roman Court and the maintainers thereof to be held by Divine right. I endeavour in this treatise to disabuse thee, and to shew that this challenge of Divine right is but a blind, or diversion, to withhold thee from finding out the true state of the question. So the hare makes her doubles and her jumps before she comes to her form, to hinder tracers from finding her out.

[Matt. xvi. 18, 19.] [John xxi. 15-17.]

I demonstrate to thee, that the true controversy is not concerning St. Peter; we have no formed difference about St. Peter, nor about any point of Faith, but of interest and profit; nor with the Church of Rome, but with the Court of Rome: and wherein it doth consist; namely, in these questions,—who shall confer English Bishoprics; who shall convocate English synods; who shall receive tenths and first-fruits and oaths of allegiance and fidelity; whether the Pope can make binding laws in England without the consent of the king and kingdom, or dispense with English laws at his own pleasure, or call English subjects to Rome without the prince's leave, or set up legantine courts in England against

their wills. And this I shew not out of the opinions of particular authors, but out of the public laws of the kingdom.

I prove moreover out of our fundamental laws and the writings of our best historiographers, that all these branches of Papal power were abuses and innovations and usurpations, first attempted to be introduced into England above eleven hundred years after Christ; with the names of the innovators, and the precise time when each innovation began, and the opposition that was made against it, by our kings, by our Bishops, by our Peers, by our Parliaments, with the groans of the kingdom under these Papal innovations and extortions.

Likewise, in point of doctrine, thou hast been instructed, that the Catholic Faith doth comprehend all those points which are controverted between us and the Church of Rome, without the express belief whereof no Christian can be saved; whereas, in truth, all these are but opinions, yet some more dangerous than others. If none of them had ever been started in the world, there is sufficient to salvation for points to be believed in the Apostles' Creed. Into this Apostolical Faith, professed in the Creed and explicated by the four first general Councils, and only into this Faith, we have all been baptized. Far be it from us to imagine, that the Catholic 29
Church hath evermore baptized, and doth still baptize, but into one half of the Christian Faith.

In sum.—Dost thou desire to live in the communion of the true Catholic Church? So do I. But as I dare not change the cognizance of my Christianity, that is, my Creed; nor enlarge the Christian Faith (I mean the essentials of it) beyond those bounds which the Apostles have set; so I dare not (to serve the interest of the Roman Court) limit the Catholic Church, which Christ hath purchased with His blood, to a fourth or a fifth part of the Christian world.

Thou art for Tradition, so am I. But my tradition is not the tradition of one particular Church contradicted by the tradition of another Church, but the universal and perpetual tradition of the Christian world united. Such a tradition is a full proof, which is received "*semper, ubique, et ab omnibus*"—"always, every where, and by all" Christians. Neither do I look upon the opposition of a handful of heretics—(they are no more being compared to the innumerable multitudes of

Christians)—in one or two ages, as inconsistent with universality, any more than the highest mountains are inconsistent with the roundness of the earth.

Thou desirest to bear the same respect to the Church of Rome that thy ancestors did; so do I. But for that fulness of power, yea, coactive power in the exterior court, over the subjects of other princes, and against their wills, devised by the Court of Rome, not by the Church of Rome,—it is that pernicious source from whence all these usurpations did spring. Our ancestors from time to time made laws against it; and our Reformation in point of discipline, being rightly understood, was but a pursuing of their steps. The true controversy is, whether the Bishop of Rome ought by Divine right to have the external regiment of the English Church, and coactive jurisdiction in English courts, over English subjects, against the will of the king and the laws of the kingdom.

DISCOURSE IV.

SCHISM GUARDED,

AND BEATEN BACK

UPON THE RIGHT OWNERS:

OR,

A CLEAR AND CIVIL ANSWER

TO

THE RAILING ACCUSATION OF S. W.

IN HIS LATE BOOK, CALLED,

SCHISM DISPATCHED.

[FIRST PRINTED AT THE HAGUE, A.D. 1658.]

[PRELIMINARY CHAPTER.]

[In what way a Church becomes schismatical.]

WHATSOEVER S. W. *alias* Mr. Serjeant doth intimate to the contrary[a] (for he dare not cough out), it is a most undeniable truth, that no particular Church (no, not the Church of Rome itself) is exempted from a possibility of falling into errors in Faith. When these errors are in essentials of Faith, which are necessary to salvation '*necessitate medii*,' they destroy the being of that Church which is guilty of them. But if these errors be in inferior points, such as are neither absolutely necessary to salvation to be known, nor to be believed before they be known; such an erroneous Church, erring without obstinacy and holding the truth im-

[a] [Schism Dispatched, Pt. i. sects. 2, 10—13. This preliminary section of Bramhall's work is a review partly of the answer to Dr. Hammond in the first division of Schism Dispatched, partly of the preliminary Epistle prefixed to that book; but chiefly of Mr. Serjeant's own character and history.]

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plicitly '*in præparatione animi*,' may and doth still continue a true member of the Catholic Church; and other coordinate Churches may and ought to maintain communion with it, notwithstanding that they dissent in opinion. But if one Church before a lawful determination shall obtrude her own errors or opinions upon all other Churches as a necessary condition of her communion, or after determination shall obtrude doubtful opinions (whether they be erroneous or not) as necessary articles of Christian Faith, and so not only ex- 292
plain but likewise enlarge the ancient Creeds, she becometh schismatical; as, on the other side, that Church which shall not outwardly acquiesce after a legal determination and cease to disturb Christian unity, though her judgment may be sound, yet her practice is schismatical.

[Mr. Serjeant's prevarications.]

This is the very case betwixt the Churches of Rome and England. She obtrudeth doubtful opinions as necessary articles of Faith, and her own errors as necessary conditions of communion; which Mr. Serjeant every where misseth and misteth with his "prevarications[b]." I cannot more fitly resemble his discourse than to a winter torrent; which aboundeth with water when there is no need of it, but in summer, when it should be useful, it is dried up: so he is full of proofs (which he miscalleth "demonstrations[c]"), where there is no controversy between us; and where "the water sticks" indeed, he is as mute as a fish.

He taketh great pains to prove that the Catholic Church is infallible in such things as are necessary to salvation[d].—Whom doth he strike? He beateth but the air; we say the same. But we deny, that his Church of Rome is this Catholic Church, and that the differences between us are in such things as are necessary to salvation. Here, where he should "demonstrate" if he could, he favours himself.

He proveth, that it is unreasonable to deny that, or doubt of it, which is received by the universal tradition of the whole Christian world[e].—What is he seeking? Surely he doth not

[b] [Schism Dispatched, passim.]

[c] [Ibid. passim. Prefixed to S. W.'s book is an "Index" of the "Absurdities, Cavils, Contradictions, False dealings, Omissions," and "Prevarications" of "My Lord of Derry in his Appendix;" and another, still more copious, of those of Dr. Hammond.]

[d] [Ibid., Pt. i. sect. 2. pp. 12, 13.]

[e] [Ibid., sectt. 2, 12, 13; especially pp. 118—123.]

seek the question here in earnest; but as he, who sought for a hare under the leads, because he must seek her as well where she was not, as where she was. We confess, that writing addeth no new authority to tradition. Divine writings and Divine tradition, Apostolical writings and Apostolical traditions, if they be both alike certain, have the same authority. And what greater certainty can be imagined than the universal attestation of the Catholic symbolical Church of Christ? But the right controversy lieth on the other hand. We deny, that the tradition whereupon they ground their opinions, wherein we and they dissent, is universal, either in regard of time, or place.

He endeavoureth with tooth and nail to establish the Roman Papacy *jure Divino;* but for the extent of Papal power, he leaveth it free to princes, commonwealths, Churches, Universities, and particular doctors, to dispute it, and bound it, and to be judges of their own privileges[f]. Yet the main controversy, I might say the only necessary controversy, between them and us, is about the extent of Papal power, as shall be seen in due place. If the Pope would content himself with his "*exordium unitatis*,"—which was all that his primitive predecessors had, and is as much as a great part of his own sons will allow him at this day,—we are not so hard hearted and uncharitable, for such an innocent title or office, to disturb the peace of the Church; nor do envy him such a preeminence among Patriarchs as St. Peter had (by the confession of his own party) among the Apostles. But this will not be accepted; either he will have all or none; patronages, tenths, first-fruits, investitures, appeals, legantine courts, and in one word, an absolute sovereignty,—or nothing. It is nothing, unless he may bind all other Bishops to maintain his usurped royalties, under the pretensed name of "*Regalia Sancti Petri*," by an oath contradictory to our old oath of allegiance[g], although all these encroachments are directly destructive to the ancient laws and liberties both of the British and English Churches. So we have only cast off his boundless tyranny. It is he and

[f] [Ibid., Pts. ii. and iii. (see also Pt. i. sect. 5. p. 40; sect. 6. pp. 49, 50), and Appendix, sect. 1. pp. 501, 502.]

[g] [See Just Vindic., c. iv. vol. i. p. 149. note x.]

PART I. his Court, who have deserted and disclaimed his own just regulated authority; as appeareth by the right stating of the question. But Mr. Serjeant, lapwing-like, makes the most pewing and crying when he is furthest from his nest.

[Who Mr. Serjeant is.] What he is, I neither know nor much regard. I conclude he is but a young divine, because he himself styleth his treatise "the prentisage of his endeavours in controversy[h]." And is it not a great boldness for a single 'apprentice' (if he do not shoot other men's bolts after he hath bestowed a little rhetorical varnish upon them) to take up the bucklers against two old doctors at once, and with so much youthful presumption of victory, that his titles sound nothing but "disarming," and "dispatching," and knocking "down," as if Cæsar's motto—"I came, I see, I overcame[i]" were his birthright? He that is such a conqueror in his "apprentisage," what victories may not he promise himself, when he is grown to be an experienced master in his profession? But let him 293 take heed, that his over daring do not bring him in the conclusion to catch a Tartar, that is, in plain English, to lose himself. The cause which he oppugneth is "built upon a [Matt. vii. 24, 25.] rock;" though the wind bluster, and the waves beat, yet it cannot fall.

I hear moreover by those who seem to know him, that he was sometimes a novice of our English Church, who deserted his Mother before he knew her[j]. If it be so to do, he oweth a double account for schism, and one which he will not claw off so easily. And if no man had informed me, I should have suspected so much of myself. We find strangers civil and courteous to us every where in our exile, except they be set on by some of our own; but sundry of those who have run over from us, [have] proved violent and bitter adversaries without

[h] [Schism Dispatched, Pt. i. sect. 1.] p. 2.

[i] [Plutarch., in Vitâ Cæsar., tom. iv. p. 153. ed. Bryant.]

[j] [See Wood's Athen. Oxon., vol. iii. p. 496. ed. Bliss; and Dodd's Ch. Hist., vol. iii. Pt. viii. bk. 2. art. 5. pp. 472—477. John Serjeant (so called by Wood and Dodd, others give him the name of William), of St. John's College, Cambridge, was appointed secretary to Morton, Bp. of Durham, in 1639 or 1640; turned Roman Catholic, and went to the Engl. Coll. at Lisbon in 1642; and was sent upon the Engl. Mission in 1652, in which employment he remained until his death in 1707. He was a person of some learning, little talent, great violence, and still greater arrogance; which latter quality led him into controversy with no less antagonists than Hammond, Casaubon, Jer. Taylor, and Stillingfleet, to mention no others, besides his attack upon Bramhall.]

any provocation (as Mr. Serjeant, for example; I cannot include all in the same guilt). Whether it proceed from the consciousness of their own guilt in deserting us, at this time especially; or the contentment to gain companions or fellow proselytes; or they find it necessary to procure themselves to be trusted; or it be enjoined to them by their superiors as a policy to make the breach irreparable; or what else is the true reason;—I do not determine. But this we all know, that fowlers do not use to pursue those birds with clamour which they have a desire to catch.

[His manner of writing.]

His manner of writing is petulant railing and full of prevarication; as if he had the gift to turn all he touched into "absurdities," "calumnies," and "contradictions." Sometimes, in a good mood, he acknowledgeth my poor labours to be "a pattern of wit and industry[k];" and that "there is much commendable in them[l];" at other times, in his passion, he maketh them to be "absurd," "nonsensical," "ridiculous," and "every where contradictory to themselves[m]," and me to be worse than a "madman or born fool[n]." Good words. If better were within, better would come out. Sometime[s] he confesseth me to be "candid" and "downright," and "to speak plain[o];" at other times he accuseth me for a "falsifier" and "a cheater without ingenuity[p]." A sign that he uttereth whatsoever cometh upon his tongue's end, without regard to truth or falsehood. If he can blow both hot and cold with the same breath, there is no great regard to be had of him.

The Spartans brought their children to love sobriety by shewing them the detestable enormities which their servants committed being drunken; so the only view of Mr. Serjeant's railing writings are a sufficient antidote to a staid man against such extreme scurrility. And I wonder that the Church of Rome, which is so provident that none of her sons in their writings swerve from their rule of Faith, should permit them so licentiously to transgress the rule of good manners, and whilst they seem to propugn true piety, to abandon all civility, as if zeal and humanity were inconsistent. When

[k] [Down-Derry, p. 306.]
[l] [Ibid.]
[m] [Schism Dispatched, passim.]
[n] [Ibid., Append. sect. 3. p. 530.]
[o] [Ibid. in Prelim. Epistle.]
[p] [Ibid., passim.]

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Michael the Archangel "disputed with the Devil about the body of Moses," he "durst not bring a railing accusation against him;"—whether doth this man think himself to have more privilege than an Archangel, or us to be worse than devils? When the Holy Ghost fell upon the Apostles, it was indeed in fiery tongues, to express devotion; but likewise in "cloven tongues," to express discretion. St. Paul would have "the servant of the Lord" to "be gentle to all men, . . in meekness instructing those that oppose themselves, if God peradventure will give them repentance to the acknowledging of the truth." This is the right way to gain souls. The mild beams of the sun wrought more effectually upon the traveller, than the blustering blasts of the north wind[q]. '*Generosus est animus hominis*'—'The mind of man is generous,' and is more easily led than drawn. The Lord was not in the loud wind, nor in the earthquake, nor in the fire, but in a still voice. Such an one Mr. Serjeant's is not.

[Jude 9.]

[Acts ii. 3.]

2 Tim. ii. 24, [25.]

1 Kings xix. [11,] 12.

If he had objected but two or three absurdities or contradictions, it had been able to have troubled a man, because there might have been some verisimilitude in it; but when he metamorphoseth my whole discourse into "absurdities" and "contradictions," that they lie as thick as Samson's enemies, "heaps upon heaps with the jawbone of an ass," it sheweth plainly that they are but made dragons, without any reality in them. Like that strange monster, which a cunning cheat promised to shew his credulous spectators, a horse whose head stood in the place of his tail; and when all came to all, he himself had tied the horse to the manger the wrong way; there needs no application. So an expert puppet-player can at his pleasure make the little actors chide and 294
fight one with another, and knock their own heads against the posts, by secret motions which he himself lendeth them. So the picture of a glorified Saint, by changing of the prospect, may be turned into a poor lazar.

Judg. xv. [16.]

He professeth, that he hath the gift of "unprejudiced sincerity[r];"—if he could be credited upon his bare word: but "remember to distrust[s]," was Epictetus his jewel. 'No

[q] [Avieni Fab. iv.]

[r] [Schism Dispatched, Prelim. Epistle.]

[s] [Epicharmus, ap. Cic., Ad Attic., i. 19.]

man proclaimeth in the streets that he hath rotten wares to sell;' and jugglers, when they are about to play their tricks, use to strip up their sleeves in assurance of fair dealing. What pledge he hath given us in this treatise of such candour and "unprejudiced sincerity," we may observe by the sequel.

In sum, reader, he complaineth much of "wording[t]," yet he himself hath nothing but words. He calleth earnestly for "rigid demonstrations[u]," but produceth none; and if the nature of the subject would bear one, he knows a way how to turn it into a "contradiction." He "hateth contradictions with all his heart[x];"—mistake him not; it is in another not in himself. It were to be wished that he knew a little better what contradictions are, lest innocent propositions go to wrack in his fury under the notion of "contradictions;" as poor old women do for witches in some part[s] of the world. He is a great friend to Christian peace, and a mighty desirer of unity[y], if we may trust his word. If he be indeed, it will be the better for him one day; but who would have thought it, that scratching and biting among reasonable men were a ready way to unity? I doubt it is but such an unity, as Rabshakeh desired between Sennacherib and Hezekiah, a slavish unity. [2 Kings xviii. 23.] I proposed but three expedients in the conclusion of my Vindication of the Church of England, to obtain a wished peace in Christendom[z]; such as themselves cannot deny to be lawful, and all moderate men will judge necessary to be done;—to reduce the present Papacy to the primitive form, the essentials of Faith to the primitive Creed, and public and private devotions to the primitive Liturgies;—but this peaceable man is so far from listening to them, that he doth not vouchsafe to take notice of them; but, in answer, wisheth us "to receive the root of Christianity, that is, practical infallibility in the Church" (he meaneth the Church of Rome), "which being denied there is no religion left in the world[a]." His style is too sharp, his judgment over partial, his experience too small, his sentences and censures over rash and rigorous, his advices too magisterial, to be a fit

[t] [Schism Dispatched, Prelim. Epistle, and repeatedly in the book itself.]
[u] [Ibid., passim.]
[x] [Ibid., Prelim. Epistle.]
[y] [Ibid.]
[z] [Just Vindic., c. x. vol. i. p. 279.]
[a] [Down-Derry, p. 332. See Schism Dispatched, Prelim. Epistle.]

PART I. instrument of procuring peace. But let us listen to those truths which he proposeth, whether they be, as he avoucheth (with more confidence than discretion), "as evident in themselves, as that two and three make five[b]." If he can make this good, his work is done; but if there be no such thing, as thou wilt find, learn that 'all is not gold that glisters;' and let him take heed, that his new light be not an '*ignis fatuus*,' which maketh precipices seem plain ways to wandering misled persons.

[b] [Schism Dispatched, Prelim. Epist., and Pt. i. sect. 13. p. 131, and elsewhere.]

A SURREJOINDER,

OR

DEFENCE OF THE

BISHOP OF DERRY'S REPLY

TO THE

APPENDIX OF MR. WILLIAM SERJEANT.

[INTRODUCTION.]

THE first part of his Rejoinder is a corollary, drawn from his former principles brought against Dr. Hammond;—that "little remains to be replied" to me "in substantial points; . . since neither can" I "deny there is now a breach made between us; . . nor do" I "pretend demonstrative and rigorous evidence, that the Pope's authority was an usurpation; . . nor, lastly," do I pretend, "that probable reasons are a sufficient ground to renounce . . an authority so strongly supported by long possession, and universal delivery of immediate forefathers as come from Christ; or that it was prudence to hazard a schism . . upon the uncertain lottery of a probability[a]." These grounds are supposed by him to be demonstrated against Dr. Hammond; and are barely repeated here, to try if he can kill two birds with one bolt made of a bur. But I refuse the province at present, as a needless and a thankless office; needless, in respect of his learned adversary, who will shew him sufficiently the weakness of his pretended "demonstration;" and thankless, in respect of himself,

[Three grounds, repeated by Mr. Serjeant from the first division of his Schism Dispatched.]

[a] ["The Appendix" (i. e. to Schism Disarmed, 12mo. Paris 1655) "Vindicated against the pretended Reply of Dr. Bramhall, Ld. of Derry," (being the second division of Schism Dispatched, 8vo. 1657), Introd. pp. 475, 476: quoted in the present volume under the title of Schism Dispatched. See also Advertisem. to Reader, prefixed to the Castig. of Mr. Hobbes (p. 734. fol. edit.), Disc. ii. Pt. iii.]

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who had taxed me in this Rejoinder of busying myself to answer an objection that was not addressed to me[b].

Yet, lest Mr. Serjeant should feign that I seek subterfuges, I will briefly and clearly declare my sense of his grounds as they are here proposed, that he may fight no more with his own shadow, as it is his common use; in hope I may recover his good opinion of my candour and ingenuity. And if it please him, he may borrow Diogenes his candle and lanthorn at noon-day, to search for "contradictions."

[1. The true question, not whether there *is* a breach between us, but whether there is *sufficient cause* for the breach which exists.]

First, that there is "a breach" between them and us, is too evident and void of question. Whether they or we be guilty of making this breach, they by excommunicating us or obtruding unlawful conditions of their communion upon us, or we by separating from them without sufficient grounds, is a question between us. But that which changeth the whole state of the question is this,—if any Bishop or Church or Court whatsoever shall presume to change the ancient discipline of the Church and doctrine of Faith, either by addition or by substraction, either all at once or by degrees, and in so doing shall make a breach between them and the primitive Church, or between them and the present Catholic Church, to separate from him or them in those things wherein they had first separated from the ancient or present Catholic Church, is not schism but true piety. Now we affirm, that the later Bishops of Rome did alter the discipline of the Church and doctrine of Faith, by changing their "beginning of unity" into a plenitude and universality of sovereign jurisdiction, and by adding of new essentials of Faith to the Creed; and in so doing had made a former breach between themselves and all the rest of the Christian world. Here the hinge of the controversy is moved. Hitherwards all his supposed "demonstrations" ought to have looked. Neither will it avail him any thing to say, "there can be no sufficient cause of schism[d];" for, in this case, the separation is not schism, but the cause is schism.

[2. Arguments of the Just Vindication con-

Secondly, if by "demonstrative and rigorous evidence" he 296
understand perfect demonstrations according to the exact rules of logic, neither is this cause capable of such demon-

[b] [Ibid., sect. 4.] p. 543.
[c] [Ibid.]
[d] [R. C.'s Survey, c. ii. sect. 1. p. 15.]

strations, nor can his mediums amount unto it; but if by "demonstrative evidence" he understand only convincing proofs (as it seemeth by opposing it to "probable reasons"), I have made it evident, that the Pope's authority, which he did sometimes exercise in England before the Reformation, when they permitted him, and which he would have exercised always *de futuro*, if he could have had his own will, was a mere usurpation and innovation; never attempted in the British Churches for the first six hundred years; attempted, but not admitted by the Saxon Churches for the next five hundred years; and damned by the laws of the successive Norman kings ever since, as destructive to the rights of the English Crown and the liberties of the English Church[e]: as shall be maintained wheresoever occasion offers itself. Yet all this while I meddle not with his "beginning of unity;" if he want that respect from me, it is his own fault.

[vincing, although not "demonstrative."]

And this includeth an answer to his third ground,—that the Papal authority which we rejected, was "so strongly supported by long possession, and the universal delivery of forefathers as come from Christ." He had always some show of right for his "beginning of unity," but no pretence in the world for his sovereignty of power;—to make laws, to repeal laws, to dispense with the canons of the universal Church, to hold legantine courts, to dispose of ecclesiastical preferments, to call the subjects out of the kingdoms, to impose tributes at his pleasure; and the like. We will shew him such an usurpation as this; let him prove such a Papacy by universal tradition, and he "shall be great Apollo to me[f]." We do not hold it "prudence to hazard a schism upon probabilities:" but trust me, such a multitude of palpable usurpations as we are able to reckon up, so contrary to the fundamental laws of England, which were grounded upon the ancient privileges of the British and Saxon Churches, together with the addition of twelve new articles or essentials to the Creed at once by Pius the Fourth (I say addition, not explication), are more than "probabilities." He converseth altogether in generals,—"a Papacy or no Papacy[g]"—which is commonly

[3. The Pope's usurpations palpable, not probable only.]

[e] [Just Vindic., cc. iv. v. vol. i. pp. 129—164.]

[f] [Virg., Bucol., iii. 104.]

[g] [Schism Dispatched. The *words* do not occur.]

PART I.

the method of deceivers: but if he dispute or treat with us, we must make bold to draw him down to particulars; particulars did make the breach.

[Mr. Serjeant's title of Down-Derry.]

I censured his light and ludicrous title of "Down-Derry" modestly in these words,—"It were strange if he should throw a good cast, who soals his bowl upon an undersong[h];" alluding to that ordinary and elegant expression in our English tongue, 'soal your bowl well,' that is, be careful to begin your work well;—

"Dimidium facti, qui bene cœpit, habet[i]."

The printer puts "seals" for "soals," which easy error of the press any rational man might have found out; but Mr. Serjeant's pen runs at random, telling the reader, that I am "mystically proverbial[k]," that I am "far the better bowler[l]," —surely he did but dream it;—and that he himself "is so inexpert, as not to understand what is meant by 'sealing a bowl upon an undersong[m].'" If he were such a stranger in his mother's tongue, yet he might have learned of some of his friends what "soaling a bowl" was, rather than burden the press and trouble the world with such empty and impertinent vanities. Neither did his pleasant humour rest here, but twice more in his short Rejoinder he is pursuing this innocent bowl. Afterwards he telleth us, that I was "beholden to the merry stationer for this title, . . who without his knowledge or approbation would needs make it his postpast to his bill of fare[n]." This answer, if it be true, had excused himself; but it sheweth that the stationer was overscurrilously audacious, to make such antepasts and postpasts at his pleasure. Neither is it likely, that "the composer" was "such a perfect stranger to our language[o]," as he intimateth in his Epistle, and the "merry stationer" so well versed in our "undersongs." But after all this he owneth it, by telling us, that "the jest was very proper and fatal[p]." Yes, as "fatal" as it is for his Rejoinder to contain six hundred

[h] [Reply to S. W., above p. 285. and note a. The word "soals" was misprinted "seals" in the original edition of the Replication, 12mo. 1656.]

[i] [Horat., Epist., I. ii. 40.]

[k] [Schism Dispatched, Introd. p. 476.]

[l] [Ibid.]

[m] [Ibid.]

[n] [Ibid.]

[o] [Epistle to the Reader prefixed to Schism Dispatched, in fin.]

[p] [Schism Dispatched, Introd. p. 476.]

and sixty-six pages, which is just the number of the Beast. His "merry stationer" might easily have contrived it otherwise, for fear of a fatality, by making one page more or less; but his mind was otherwise taken up, how to cheat his customers with counterfeit bills of fare, which they will never find. I will endeavour to cure him of his opinion of 'fatality.'

[Rev. xiii. 18.]

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SECTION I.

[OF MR. SERJEANT'S FORMAL ARGUMENT TO CONVICT THE ENGLISH CHURCH OF SCHISM.]

CHAPTER THE FIRST.

[Mr. Serjeant's pretences to "demonstration."]

BECAUSE Mr. Serjeant complaineth much of "wording," and yet giveth his reader nothing but words; and calleth so often for "rigorous demonstrations," yet produceth nothing for his part which resembleth a strict demonstration; and because this first part of his discourse is the basis or groundwork of the whole building, whereof he boasteth that it "doth charge the guilt of schism upon our Church, not only with colour, but with undeniable evidence[q];" I will reduce his discourse into a logical form, that the reader may see clearly where "the water sticks" between us. Whatsoever he prateth "of a rigorous demonstrative way as being only conclusive[r]," it is but a copy of his countenance. He cannot be ignorant, or if he be, he will find by experience, that his glittering principles will fail him in his greatest need, and leave him in the dirt. I have known sundry fantastic persons who have been great pretenders to "demonstration," but always successless, and for the most part ridiculous. They are so conceitedly curious about the premisses, that commonly they quite mistake their conclusion. Causes encumbered with circumstances, and those left to the election of free agents, are not very capable of "demonstration."

[q] [Schism Dispatched, sect. 1. p. 477. —Down-Derry, p. 306.]

[r] [Schism Dispatched, Postscript.]

PART I.

[The case stated between Mr. Serjeant and the author.]

The case in difference between us is this, as it is stated by me,—Whether the Church of England have "withdrawn themselves from obedience to the Vicar of Christ and separated from the communion of the Catholic Church [x]."

And upon those terms it is undertaken by him in the words immediately following, "And that this crime is justly charged upon his Church not only with colour, but with undeniable evidence of fact, will appear by the position of the case, and the nature of his exceptions [y]."

We have the state of the controversy agreed upon between us. Now let us see how he goeth about to prove his intention.

[Mr. Serjeant's argument.]

"What Church soever did upon probable reasons without any necessary or convincing grounds break the bonds of unity ordained by Christ in the Gospel and agreed upon by all true Churches, is guilty of schism; but the Church of England in Henry the Eighth's days did upon probable reasons without any necessary or convincing grounds break the bonds of unity ordained by Christ in the Gospel and agreed upon by all true Churches; therefore the Church of England is guilty of schism [z]."

I do readily assent to his major proposition; and am ready to grant him more if he had pleased to insert it,—that that Church is schismatical which doth break the bonds of unity ordained by Christ in His Gospel, whatsoever their reasons be, whether convincing or probable, and whosoever do either consent to them or dissent from them. But I deny his minor; which he endeavoureth to prove thus.—

"Whatsoever Church did renounce or reject these two following rules or principles,—first, that 'the doctrines which had been inherited from their forefathers as the legacies of Christ and His Apostles were solely to be acknowledged for obligatory, and nothing in them to be changed;' secondly, that 'Christ had made St. Peter first or chief or prince of His Apostles, who was to be the first mover under Him in the Church after His departure out of this world, and to whom all others in

[x] [Down-Derry, at the end of] Schism Disarmed, p. 306. [from Just Vindic., c. i. vol. i. p. 101.]

[y] [Down-Derry, ibid.—Schism Dispatched, sect. 1. p. 477.]

[z] [Down-Derry, pp. 307, 308; and Schism Dispatched, sect. 1. pp. 480, 481: reduced into syllogistic form by Bramhall.]

difficulties concerning matters belonging to universal Faith or government should have recourse, and that the Bishops of Rome as successors from St. Peter inherited from him this privilege in respect of the successors of the rest of the Apostles,'—that Church did break the bonds of unity, ordained by Christ in His Gospel, and agreed upon between the Church of England and the Church of Rome and the rest of her communion: but the Church of England did all this in Henry the Eighth's days that very year wherein this unhappy separation began, upon merely probable, no convincing, grounds[a]:" therefore, &c.

[The Roman Church not the Catholic Church.]

To his former proposition I made this exception, that he would "obtrude upon us the Church of Rome and its dependents for the Catholic Church[b]." Upon this he flieth out, as it is his custom, into an invective discourse; telling
298 me, I "look asquint" at his "position of the case[c],"—he will not find it so in the conclusion,—and that I "strive hocus-pocus like to divert my spectator's eyes[d]," with a great deal more of such-like froth; wherein there is not a syllable to the purpose, except this, that he did not "mention the word Catholic" in that place[e]. The greater was his fault. It is a foul solecism in logic not to conclude contradictorily. *I* did mention "the Catholic Church" in the state of the question,—"whether the Church of England had separated itself from the communion of the Catholic Church:" and he had undertaken in the words immediately following "to charge that very schism upon us with undeniable evidence:" and in his very first essay shuffles out "the Catholic Church," and in the place thereof thrusts in "the Church of Rome with all the rest of her communion." He might have known, that we do not look upon "the Church of Rome with all the rest of her communion" as the Catholic Church; nor as above a fifth part of the present Catholic Church; and that we do not ascribe any such infallibility in necessary truths to the Roman Church with all her dependants, as we do to the true Catholic Church; nor esteem it always schismatical to separate from the modern

[a] [Ibid.]
[b] [Reply to S. W., sect. 1; above, p. 287.]
[c] [Schism Dispatched, sect. 1. p. 481.]
[d] [Ibid., p. 482.]
[e] [Ibid., p. 481.]

PART I. Roman Church,—namely, in those points wherein she had first separated both from the primitive Roman Church, and from the present Catholic Church: but we confess it to be always schismatical to separate from the communion of the Catholic Church united. Thus much he ought to take notice of; and when he hath occasion hereafter to write upon this subject, not to take it for granted (as they use to do) that the Catholic Church and the Roman Church are convertible terms, or tell us a tale of a tub what their "tenet is, that these Churches which continue in communion with the Roman are the only true Churches[f]." We regard not their schismatical and uncharitable tenets now, no more than we regarded the same tenets of the Donatists of old: they must produce better authority than their own, and more substantial proofs than he hath any in his budget, to make us believe that the Roman Church is the Catholic Church. It is charity to acknowledge it to be *a* Catholic Church inclusively; but the greatest uncharitableness in the world to make it *the* Catholic Church exclusively; that is, to separate from Christ and from hope of salvation, as much as in them lieth, all Christians who are not of their own communion. Howsoever, it is well, that they who used to vaunt that 'the enemy trembled at the name of the Catholic Church,' are now come about themselves to make the Catholic Church to be an appendix to the Roman. Take notice, reader, that this is the first time that Mr. Serjeant turns his back to the question; but it will not be the last.

The rule of Faith; [as laid down by Mr. Serjeant.]

My next task is to examine his two rules or bonds of unity. And first concerning his rule of Faith, I do not only approve it but thank him for it; and when I have a purpose to confute the twelve new articles of Pius the Fourth, I will not desire a better medium than it. And I do cordially subscribe to his censure, that the transgressors thereof are indeed those who are truly guilty of that horrid schism which is now in the Christian world[g].

The rule of government; [according to Mr. Serjeant.]

To his second rule or principle for government,—that "Christ made St. Peter first or chief or prince of His Apostles, who was to be the first mover under Him in the

[f] [Down-Derry, p. 308.]

[g] [Schism Dispatched, sect. 1. pp. 482, 483.]

Church after He departed out of this world, to whom all others should have recourse in greater difficulties[h],"—if he had not been a mere novice and altogether ignorant of the tenets of our English Church, he might have known, that we have no controversy with St. Peter, nor with any other about the privileges of St. Peter. Let him be "first, chief, or prince of the Apostles," in that sense wherein the ancient Fathers styled him so. Let him be the "first" ministerial "mover." And why should not the Church have recourse to a prime Apostle or Apostolical Church in doubtful cases? The learned Bishop of Winchester (of whom it is no shame for him to learn) might have taught him thus much, not only in his own name, but in the name of the king and Church of England,—"Neither is it questioned among us whether St. Peter had a primacy, but what that primacy was; and whether it were such an one as the Pope doth now challenge to himself, and you challenge to the Pope: but the king doth not deny Peter to have been the prime and prince of the Apostles[l]." I wonder how it cometh to pass, that he, who commonly runneth over in his expressions, should now on a
299 sudden become so dry upon this subject. If this be all, he needed not to have forsaken the communion of the Church of England, for any great devotion that he beareth to St. Peter more than we.

Discourse IV. No controversy about St. Peter.

But yet we dare not rob the rest of the Apostles to clothe St. Peter. We say clearly with St. Cyprian,—"*Hoc erant utique et cæteri Apostoli quod fuit Petrus, pari consortio prædíti et honoris et potestatis; sed exordium ab unitate proficiscitur, primatus Petro datur, ut una Christi Ecclesia et una Cathedra monstretur*[k]"—"The rest of the Apostles were even the same thing that Peter was, endowed with an equal fellowship both of honour and power; but the beginning cometh from unity, the primacy is given to Peter, to signify one Church and one Chair." It is well known that St. Cyprian made all the Bishoprics in the world to be but one mass—"*Episcopatus unus est Episcoporum multorum concordi numerositate dif-*

[h] [Down-Derry, p. 307.—Schism Dispatched, p. 481.]

[l] [Andrewes,] Respons. ad Apolog. Bellarm., c. 1. [p. 14. ed. 1610.]

[k] Cyprian., De Unitate Ecclesiæ, [Op. pp. 107, 108. "*Primatus Petro datur*" omitted by Fell as spurious.]

PART I.

fusus[l],"—whereof every Bishop had an entire part—"*cujus a singulis in solidum pars tenetur*[m]." All that he attributeth to St. Peter is this "beginning of unity," this primacy of order, this preeminence to be the chief of Bishops, to be Bishop of "the principal Church from whence Sacerdotal unity did spring[n]." Yet I esteem St. Cyprian as favourable an expositor to the see of Rome, as any they will find out of their own Chair, that was no more interessed in that Sec. This primacy neither the ancients nor we do deny to St. Peter,—of order, of place, of preeminence. If this "first movership" would serve his turn, this controversy were at an end for our parts. But this primacy is over lean; the Court of Rome have no gusto to it. They thirst after a visible monarchy upon earth, an absolute ecclesiastical sovereignty, a power to make canons, to abolish canons, to dispense with canons, to impose pensions, to dispose dignities, to decide controversies by a single authority. This was that which made the breach, not the innocent primacy of St. Peter; as I shall demonstrate by evident proofs as clear as the noon-day light.

Observe, reader, that Mr. Serjeant is making another *vagare* out of the lists, to seek for his adversary where he is sure not to find him. Hereafter if he have a mind to employ his pen upon this subject, and not to bark at the moonshine in the water, let him endeavour to demonstrate these four things, which we deny indeed.

First, that each Apostle had not the same power over the
John xx. 21. Christian world by virtue of Christ's commission—"As My Father sent Me, so send I you,"—which St. Peter had.

Secondly, that St. Peter ever exercised a single jurisdiction over the persons of the rest of the Apostles, more than they over him, besides and over and above his primacy of order or "beginning of unity."

Thirdly, that St. Peter alone had his commission granted to him by Christ as to an "ordinary pastor[o]," to him and his successors, and all the rest of the Apostles had their commissions only as "delegates[o]" for term of life. This new-

[l] [Id.,] Epist. 52. [ed. Pamel.], Ad Anton., [Ep. 55. p. 112. ed. Fell.]
[m] [Id.,] De Unitate, [Op. p. 108.]
[n] [Id.,] Epist. 55. [ed. Pamel.], Ad Cornel., [Ep. 59. pp. 135, 136. ed. Fell. "Ecclesiam principalem, unde unitas sacerdotalis exorta est."]
[o] [Bellarm., De Roman. Pontif., lib. i. c. 11. Op. tom. i. p. 647. B.]

hatched distinction being the foundation of the present Papacy, I would be glad to see one good author for it who writ within a thousand years after Christ. DISCOURSE IV.

Lastly, that the sovereignty of ecclesiastical power and jurisdiction rested in St. Peter alone, and was exercised by him alone, and not by the Apostolical College, during the history of the Acts of the Apostles.

Now let us proceed from St. Peter to the Pope, which is the second part of his rule of government;—"And that the Bishops of Rome, as successors of St. Peter, inherited from him this privilege in respect of the successors of the rest of the Apostles, and actually exercised this power in all the countries which kept communion with the Church of Rome[p]." The Pope successor to St. Peter.

What "privilege?" To be the "first" Bishop, the "chief" Bishop, the 'principal' Bishop, the "first mover in the Church," just as St. Peter was among the Apostles? We have heard of no other "privilege" as yet. If a man would be pleased, out of mere pity to his starving cause, to suppose thus much, what good would it do him? Doth he think that the Pope or the Court of Rome would ever accept of such a Papacy as this, or thank him for his double diligence? He must either be meanly versed in the primitive Fathers, or give little credit to them, who will deny the Pope to succeed St. Peter in the Roman Bishopric, or will envy him the dignity of a Patriarch within his just bounds. But the breach between Rome and England was not about any Episcopal, Metropolitical, or Patriarchal rights. A Patriarch hath more power in his proper Bishopric, than in his
300 province; and more in his province, than in the rest of his Patriarchate: but Papal power is much greater than any Bishop did ever challenge in his own diocese. In my answer to his assumption[q], I shall shew sufficiently who they were that brake this bond of union, and are the undoubted authors of [the] schism.

But before I come to that, I would know of him, how the Pope did 'inherit' all those privileges which he claimeth from But not by Christ's ordination.

[p] [Down-Derry, p. 307.—Schism Dispatched, sect. 1. p. 481.]

[q] [Below, cc. 4-9. pp. 394, &c.]

PART I. St. Peter, or how he holds them "by Christ's own ordination in Holy Scripture[r]?"

First, all the Eastern Churches do affirm confidently[s], that the most of these privileges were the legacies of the Church representative, not Christ or St. Peter. And it seemeth to be very true by that of the Council of Sardica, "*Si vobis placet Sancti Petri memoriam honoremus*[t]." If all these privileges were the Pope's "inheritance[u]," it was not well done of old Osius to put it upon a "*Si placet*"—'content or not content,' and to assign no better a reason than the "memory" of a predecessor. It seemeth likewise to be true by the Council of Chalcedon, which attributeth the primacy of the Bishop of Rome to "the decrees of the Fathers" and the dignity of "that imperial city;" and when the Pope's legates did oppose the Acts of the Council, "*gloriosissimi judices dixerunt*"—"the most glorious judges said, let both parties plead the canons[x]." By "the canons" that great Council of six hundred and thirty Fathers did examine it; by "the canons" they did determine it; there was no "inheritance" pretended in the case.

Secondly, if the Bishop of Rome did hold all his privileges by inheritance from St. Peter, how much were three successive Popes overseen, Zosimus, Bonifacius, and Celestinus, to ground them upon the canons of the Council of Nice, and these either counterfeited or mistaken for the canons of Sardica[y]? which when the African Fathers did find out by the true copies of the Nicene Council, they rejected that part of Papal power, as appeareth by their letter to Pope Celestine;—"We earnestly beseech you, that henceforwards you do not easily lend an ear to such as come from hence; nor" (which Bellarmine[z] cuts off guilefully) "receive any more such as are excommunicated by us into your communion;"

[r] [Down-Derry, p. 309.—Schism Dispatched, sect. 1. p. 503.]

[s] [See Field, Of the Church, bk. iii. c. i. pp. 50, 54.]

[t] Concil. Sardic. [A.D. 347.] can. 3. [ap. Crabb., Concil., tom. i. p. 330. See Labb., Concil., tom. ii. p. 630. B.]

[u] [Down-Derry, p. 307.—Schism Dispatched, sect. 1. p. 481.]

[x] Concil. Chalcedon. Act. xvi. [ap. Labb., Concil., tom. iv. pp. 795. D, E. et 809. E.]

[y] [Zosim., Epist. x., Ad Concil. Carthag., in init., ap. Labb., Concil. tom. ii. p. 1572. B.—Act. Concil. Carthag. VI. (A.D. 419), ibid. pp. 1589—1593.]—Epist. Concil. Afric. [ad Bonifac., ibid. pp. 1671. D—E. 1672; et] ad Celestin., [ibid., pp. 1674—1676. See Field, Of the Church, bk. v. c. 39.]

[z] [Bellarm., De Roman. Pontif., lib. ii. c. 25. Op. tom. i. p. 802. C, D.]

with this sharp intimation, "*Ne fumosum typhum sæculi in Ecclesiam . . videamur inducere*[a]." If sovereign judicature did belong to the Bishop of Rome by inheritance from St. Peter, why did three Popes challenge it upon the decrees of the Nicene Council? and why did the African Fathers refuse to admit it, because it was not contained in the decrees of the Nicene Council?

Thirdly, if by "Prince of Bishops" Mr. Serjeant understand an absolute prince, one who hath a single legislative power, to make canons, to abolish canons, to dispense with canons, as seemeth good in his own eyes; if he make a greater prince of the Steward, than he doth of the Spouse, of Christ; he will have a hard province to secure himself from the censures of the Councils of Constance and Basle, in the former of which were personally present one emperor, two Popes, two Patriarchs, all the Cardinals, the ambassadors of all the princes in the West, and the flower of occidental scholars, divines, and lawyers. These had reason to know the tradition of the Universal Church as well as Mr. Serjeant.

Lastly, before he can determine this to be "an undeniable" truth[b], and "a necessary bond" of unity[c], that the Bishop of Rome is "inheritor" of all the privileges of St. Peter, and that "this principle is Christ's own ordination, recorded in Scripture," he must first reconcile himself to his own party. There is a Commentary upon the Synodal Answer of the Council of Basle, printed at Cologne in the year 1613; wherein is maintained, that "the provinces subject to the four great Patriarchs from the beginning of the Christian Church, did know no other supreme but their own Patriarchs[d]:" and, "if the Pope be a primate, it is by the Church; if he be the Head of all Churches, it is by the Church: and whereas we have said, that it is expressed in the Council of Nice, that many provinces were subjected to the Church of Rome by ecclesiastical custom and no other right, the synod should do the greatest injury to the Bishop

[a] Epist. Concil. Afric. ad Celestinum, [ap. Labb., Concil., tom. ii. pp. 1675. B, 1676. A.]

[b] [Down-Derry, p. 306.]

[c] [Ibid., p. 308.]

[d] Comment. in Epist. Synodal. Concil. Basil., [Colon. 1613.] p. 31, b. [not to be met with.]

PART I. of Rome, if it should attribute those things to him only from custom, which were his due by Divine right[e]."

[Gerson.] Gerson goeth much more accurately to work, distinguishing Papal rights into three sorts;—"Divine," which the Bishop of Rome challengeth by succession from St. Peter; "canonical," wherewith he hath been trusted by general Councils; and "civil," granted to that see by the emperors[f]. 301 Of the first sort he reckoneth no more but three privileges,—"to call Councils," "to give sentence with Councils," and jurisdiction purely spiritual[g].

[The first Council of Pisa.] Among the propositions given in to the Council of Pisa, and printed with the Acts of the Council, we find these.—First, "Although the Pope, as he is the Vicar of Christ, may after a certain manner be called the Head of the Church; yet the unity of the Church doth not depend necessarily or receive its beginning from the unity of the Pope[h]." Secondly, "The Church hath power and authority originally and immediately from Christ its Head to congregate itself in a general Council, to preserve its unity[i]." It is added, that the Catholic Church "hath this power also by the law of nature[l]." Thirdly, "In the Acts of the Apostles we read of four Councils convocated, and not by the authority of Peter, but by the common consent of the Church; and in one Council celebrated at Jerusalem, we read not that Peter, but that James the Bishop of the place, was president and gave sentence[k]." He concludeth, that "the Church may call a general Council without the authority of the Pope, and, in some cases, though he contradict it[l]." The writers and writings of those times, in and about the Councils of Constance and Basle and the two Pisan Councils, do abound with such expressions.

[Divine right of the Papacy denied by many Romanists.] Before he determined positively the Divine right of the Papacy as it includeth a sovereignty of power, he ought to consider seriously what many of his own friends have written about it; as Canus, and Cusanus, and Stapleton, and Soto, and Driedo, and Segovius (as it is related by Æneas

[e] Idem, [ibid.,] p. 40.
[f] Gerson, De Vitâ Spirit. Animæ, [Lectio 3. Op. Pt. iii. fol. 324. D.]
[g] [Id., ibid., fol. 325. E.]
[h] Acta Concil. Primi Pisani, impress. Lutetiæ 1612, fol. 69.
[i] [Ibid., pp. 69, 70.]
[k] [Ibid., p. 70.]
[l] [Ibid., p. 72.]

Sylvius), and others; that the "Pope's succession is not revealed in Scripture[m];" that Christ did not limit the primacy to any "particular Church[n];" that it "cannot be proved that the Bishop of Rome is perpetual prince of the Church[o];" that "the gloss which preferreth" the judgment of "the Roman Church" before the judgment of "the world," is "very singular," and "foolish," and "unworthy to be followed[p];" that it hath been a Catholic tenet in former times, "that the primacy of the Roman Bishop doth depend not upon Divine but human right, and the positive decrees of the Church[q];" that "men famous in the study of Christian theology, have not been afraid in great assemblies to assert the human right of the Pope[r]." He ought to consider what is said of a great king, that "theologians affirmed that the Pope was the Head of the Church by Divine right, but when the king required them to prove it, they could not demonstrate it[s];" and, lastly, what the Bishop of Chalcedon saith lately, "To us it sufficeth that the Bishop of Rome is St. Peter's successor; and this all Fathers testify, and all the Catholic Church believeth; but whether he be so *jure Divino* or *humano*, is no point of faith[t]." DISCOURSE IV.

Here, reader, I must intreat thee, before we proceed a step further, to read his assertion, that "the constant belief of the Catholic world was and is," that "this principle" (namely, that the Bishop of Rome inherited the privileges of St. Peter) "is Christ's own ordination recorded in Scripture, derived to us by the strongest evidences that our nature is capable of[u]." What a strange confidence is this, to tell his [No Scripture to prove it.]

[m] [Melchior] Canus, [De] Locis [Theolog.], lib. vi. c. 8. [Op. p. 337. Colon. 1605.]—Driedo, De [Script.] Ecclesiast. [et] Dogmat., lib. iv. c. 3. [P. 3. Op. tom. i. fol. 236, 1. B. Lovan. 1556. "Quamvis nequeat evidenter ex Scripturis demonstrari."]

[n] [Dominic.] Soto, In IV. Sentent. Distinct. 24. Qu. 2. Art. 5. [in fine, Op. tom. i. p. 596. Douay 1613.]

[o] [Nicol. de] Cusan., De Concordant. Cathol., lib. ii. c. 34. [Op. tom. ii. p. 774. Basil. 1565. "Non posse *adhuc*" &c. "probari."]

[p] [Johan. Segov., ap.] Æn. Sylv., De Gest. Basil. Concil., lib. [i. init., in Fascic. Rer. Expetend. et Fugiend., p. 5. ed. Lond. 1690.]

[q] Stapleton, De Princip. Fidei, lib. xiii. c. 15. [Op. tom. i. p. 496. Paris. 1620: adding however that "nemini amplius Catholico dubium est prorsus Divino jure" &c. "hunc primatum niti."]

[r] [Gaspar] Contarenus, De Potest. Pontif., [init., Venet. 1562. "Hoc jus Pontificis humanum esse." Contarenus wrote to refute them.]

[s] Sleidan, [Comment. de Statu Relig. et Reipubl. Carolo V. Cæsare,] lib. ix. [p. 242; of Francis I. of France.]

[t] Bishop of Chalced., Surv., c. v. [sect. 3. pp. 68, 69.]

[u] [Down-Derry, at the end of] Schism Disarmed, p. [309;—Schism Dispatched, sect. 1. p. 503.]

PART I. readers he cares not what, so it may serve his present turn! How should this be "recorded in Scripture," when the Bishopric of Rome is never mentioned in Scripture; nor so much as whether St. Peter ever was at Rome? except we understand Rome by Babylon, but this is too remote and too obscure to be "Christ's own ordinance." If it be "recorded in Scripture," it is either in Nicodemus his Gospel, or in the Pope's decretal Epistles. Certainly in the genuine Scriptures there is no manner of mention of any such thing.

Hear the ingenuous confession of a more learned adversary,—"*Neque Scriptura neque Traditio habet, sedem Apostolicam ita fixam esse Romæ, ut inde auferri non possit*"—"There is neither Scripture nor Tradition to prove, that the See of St. Peter is so fixed to Rome, that it cannot be taken from it[v]." But if the Bishop of Rome did inherit the privileges of St. Peter "by Christ's own ordination recorded in Scripture," then there were Scripture to prove, that it cannot be taken away from Rome. "Christ's own ordination" must not be violated. Behold both his grounds, Scripture and Tradition, swept away at once.

It will not serve his turn at all to say, that I "take him in a reduplicative sense, as if he spake of the Bishops of Rome, as of Rome[x]." Either Christ ordained in Scripture, that the Bishop of Rome should succeed St. Peter in his privileges; and then the Bishop of Rome doth succeed St. Peter as 302
Bishop of Rome[y]. Or Christ hath not ordained in Scripture that the Bishop of Rome should succeed St. Peter in his privileges; and then the Bishop of Rome is not St. Peter's successor "by Christ's own ordination." He may be his successor upon another account; but "by Christ's own ordination recorded in Scripture" he cannot be, if Christ Himself have not ordained in Holy Scripture that he should be.

He addeth, that I "picked these words . . out of a paragraph a leaf after[z]." Why? is he not bound to speak truth in one paragraph as well as in another? Or will he oblige one who combatteth with him, to watch where his buckler is ready, and be sure to hit that? These things are as clear as

[v] Bellarm., De Roman. Pontif., lib. iv. c. 4. [Op. tom. i. p. 962. B.]

[x] Schism Dispatched, [sect. 1.] p. 504.

[y] [The words "by Christ's own ordination" seem to have dropped out of the text at the end of this sentence.]

[z] [Ibid.]

the light, and yet he vapours about my "frivolous" and "impertinent answers," and "wonders how any man can have the patience to read such a trifler[a]." Let the reader judge which scale hath more weight in it.

How should the Bishop of Rome's succession to St. Peter be "Christ's own ordination recorded in Scripture," when both his fellows, and he himself, do ground the Bishop of Rome's right to succeed St. Peter upon "the fact of St. Peter," namely, his dying Bishop of Rome? Bellarmine distinguisheth between the Bishop of Rome's "succession of St. Peter," and "the reason of his succession;"—"the succession" (saith he) "is from the institution of Christ by Divine right, and commanded by Christ; .. but the reason of this succession is from the fact of St. Peter, not from the institution of Christ[b]." Which two are irreconcileable. For if Christ commanded, that the Bishop of Rome should succeed St. Peter (as he saith),—"*Deus ipse jussit Romæ figi Apostolicam Petri sedem, quæ autem jubet Deus mutari ab hominibus non possunt*[c]"—then not "the fact of St. Peter," but the mandate of Christ, is "the reason of the succession:" there was no need that St. Peter should do any thing to perfect the commandment of Christ. And, on the other side, if "the fact of St. Peter" be the true reason of the Bishop of Rome's succession, then it is evident, that Christ did not command it. Let it be supposed,—to avoid impertinent disputes,—that Christ did create a chief pastor of His Church, as an office of perpetual necessity, without declaring His pleasure who shall be his successor, but leaving the choice either to the chief pastor or to the Church; without peradventure, in such a case, the office is from Christ, and the perpetuity is from Christ; but the right of the successor is from them who make the application, whether it be the chief pastor or the Church. The succession of the Bishop of Rome to St. Peter is not recorded in Scripture; "the fact of St. Peter" is not recorded in Scripture; no such ordination of Christ is recorded in Scripture, that the Bishop of Rome should be St. Peter's successor: and therefore it is impossi-

[a] [Ibid.]

[b] Bellarm., De Roman. Pontif., lib. ii. c. 12. [Op. tom. i. p. 743. B, C.]

[c] [Id., ibid.] lib. iv. c 4. [ibid p. 963. C.]

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ble, that the succession of the Bishop of Rome to St. Peter should be "Christ's own ordination recorded in Scripture."

[The legend in Hegesippus.]

Then what is this mandate of Christ? and where contained? The mandate is an old legend contained in Marcellinus, Leo, Athanasius, Ambrose, and Gregory; some of which point at it, others relate it, none define it as a matter of Faith:—that "St. Peter, a little before his passion, being ready to depart out of Rome, did meet Christ in the gate, Who told him, that He came to Rome to be crucified again;" thereby intimating, that St. Peter must suffer martyrdom there [d]. Here is no mandate of Christ to St. Peter to fix his see at Rome; much less, that he should place it there for ever, never to be removed. True (saith Bellarmine), but yet "*non est improbabile Dominum etiam aperte jussisse ut sedem suam Petrus ita figeret Romæ, ut Romanus Episcopus absolute ei succederet*"—"it is not improbable, that the Lord did command plainly that Peter should fix his see at Rome, that the Roman Bishop should succeed him absolutely [e]." Alas! this is but a poor ground to build a man's faith upon—that "it is not improbable." And therefore the said author proceedeth, "*Tametsi fortè*," *&c.*—"Although peradventure it be not of Divine right, that the Roman Bishop, because he is the Roman Bishop, doth succeed St. Peter in the prefecture of the Church [f]."

[How is it sure that the present Pope is St. Peter's successor.]

And though it were supposed a point of Faith, that the Bishop of Rome were St. Peter's successor; yet it cannot be a point of Faith, that Pope Urban, or Pope Clement, are St. Peter's successors, and true Bishops of Rome, because there can be no more than moral certainty for it. Who can assure us of their right Baptisms and right ordinations, according to the common Roman grounds? How can we be sure of their canonical election;—that two third parts of the Cardinals did concur? or that the election by Cardinals now, 30. and by the emperors and by the people formerly, were all authentic forms? though I doubt not but any of these might serve to obtain a human right. But, especially, what can secure us from the taint of simoniacal pravity? which they,

[d] [See above in the Replic., c. v. sect. 3. pp. 161, 162. Disc. iii. Pt. i.]

[e] [Bellarm., De Roman. Pontif., lib. ii. c. 12. Op. tom. i. p. 743. D.]

[f] [Id., ibid.]

who knew the intrigues of states, do tell us, hath borne too great vogue in the Conclave of late days. And if it cannot be a point of Faith to believe the present Pope is St. Peter's successor, for these reasons; neither can it be a point of Faith, that any of them all hath been his successor, for the same reasons. I do not urge these things to encourage any man to withdraw obedience from a lawful superior, either upon improbable or probable suppositions; but to shew their temerarious presumption, who do so easily change human right into Divine right, and make many things to be necessary points of Faith, for which there never was revelation or more than moral certainty. Discourse IV.

CHAPTER THE SECOND.

The next thing which offereth itself to our consideration, is his minor proposition, whether "the Church of England did break these bonds of unity," &c. But I hold it more methodical to examine first the proofs of his major,—that these "were the right bonds of unity;" and so dispatch that part out of my hands. Oral and immediate tradition no certain rule.

"All, which was agreed upon unanimously between the Church of Rome and its dependents and the Church of England, and delivered from hand to hand in them all by the oral and immediate tradition of a world of fathers to a world of children successively, as a rule of Faith or discipline received from Christ and His Apostles, which so vast a multitude of eye-witnesses did see visibly practised from age to age, is undoubtedly true, and such a rule is infallible and impossible to be crooked." But these two rules are such rules. And so he concludeth that "they are incapable of usurpations," and as "easy to teach Faith, as children learn their A B C.[g]"

I have given his argument as much force and edge as I could possibly; but all this wind shakes no corn. His other two rules were not so much to be blamed as this rule of rules, "oral and immediate tradition." Of such "oral and immediate tradition" it was, that our Saviour told the scribes and

[g] [From Schism Dispatched, sect. 1. pp. 484, 488.—reduced into form by Bramhall.]

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Pharisees, that they "made the commandments of God of none effect" by their "tradition;" and St. Peter told the dispersed Jews, that they were "redeemed" by the "Blood of Christ" from their "vain conversation, received by tradition from their fathers." These were such traditions as the Jews pretended they had received from Moses and the Prophets: as the Romanists pretend now to have received their traditions "from Christ and His Apostles." Otherwise, we do not only admit oral traditions in general, as an excellent introduction to the doctrine of saving truth, and a singular help to expound the Holy Scriptures, but also particular unwritten traditions derived from the Apostles, and delivered unto us by the manifest testimony of the primitive Church, being agreeable to the Holy Scriptures. The Apostles did speak by inspiration as well as write; and their tradition, whether by word or writing indifferently, was the Word of God, into which Faith was resolved. The traditions of the Catholic Church, of this present or another age, have this privilege, to be free from all errors that are absolutely destructive to salvation: but this they have, not from the nature of tradition,—which is subject to error, to corruption, to change, to contradiction;—

Matt. xv. 6.

1 Pet. i. 18, [19.]

"Mobilitate viget, virésque acquirit eundo [b];—

but from the special providence and protection of Christ, Who hath promised to be with His Church until the end of the world.

[Matt. xxviii. 20.]

In sum, I deny both his propositions;

[Whether tradition from parents to children;]

First, his major. "Immediate tradition" from parents to children, is not a certain and infallible rule of truth and Faith. Traditions are often doubtful, do often change with the times, and sometimes contradict one another; as we see in the different traditions of the Eastern and Western 304
Churches about the observation of Easter, and the Councils of Nice and Frankfort about images, &c. Neither points of Faith, nor Papal rights, are so visible as he imagineth. Credulity, and ignorance, and prejudice, and passion, and interest, do all act their parts. Upon his grounds there can be no ecclesiastical usurpations; yet experience teacheth us, that there have been such usurpations in all ages. If he

[b] [Virg., Æn., iv. 175.]

had reason to renounce the "immediate tradition" of his father and grandfather and great grandfather, then others may have the like and better reason. Let him believe the sun's dancing upon Easter-Morn, and the swan's singing, and the pelican's digging of her breast with her bill, and all the stories of King Arthur and Robin Hood; for it may be he hath received all these from his elders by "immediate tradition."

He himself confesseth, that "the possession of government must be such a possession, as may be presumable to have come from Christ, not of such an one as every one knows when it began[i]." To what purpose is it to pretend tradition for all those branches of Papal power, which are in controversy between them and us, seeing all of them had their first original eleven hundred years after Christ?

Secondly, this is not all; he ascribeth moreover too much to the "immediate tradition" of the present Church, but much more than too much to the "immediate tradition" of his elders, to make it absolutely "infallible"—*'cui non potest subesse falsum,'* and to resolve Faith into it. The last resolution of Faith must be into that which is formally the Word of God. The voice of the present Church may be materially the Word of God, in regard of the matter and thing testified; but it cannot be formally the Word of God, in respect of the witnesses and manner of testifying. But "immediate tradition" is often a seminary of errors.

[Or the tradition of the present Church.]

Thirdly, he makes the "oral and immediate tradition" of "fathers" to their "children," to be a more ready and a more safe rule of Faith than the Holy Scriptures, which are the canon of Faith; and so ready, that it is as easy, as for boys to "learn their A B C;" and so safe, that it is "impossible" to be made "crooked."

[Not readier or safer than the Scriptures.]

Lastly, he confoundeth the tradition of the Roman Church with the tradition of the Catholic Church; yet the one is but particular, the other universal, tradition. St. Augustin setteth us down a certain rule, how to know a true genuine Apostolical tradition; *"Quod universa tenet Ecclesia, nec Conciliis institutum, sed semper retentum est, non nisi auctoritate Apostolicâ traditum verissimè creditur"*—"Whatsoever the

[The tradition of the Roman Church not the tradition of the Catholic Church.]

[i] [Schism Dispatched, Pt. i. sect. 6.] p. 49. [See also sect. 11. p. 112.]

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whole Church doth hold, which was not instituted by Councils, but always received, is most rightly believed to have been delivered by Apostolical authority[l]." These three marks conjointly do most firmly prove an Apostolical tradition. I do not deny, but that there have been Apostolical traditions which have wanted some of these marks; but they were neither necessary to salvation, nor can be proved at this day after sixteen hundred years to have been Apostolical traditions. Whatsoever wanteth either universality or perpetuity is not absolutely necessary. Neither can the reception of one Apostolical Church prove a tradition to be Apostolical, if other Apostolical Churches do reject it, and contradict it.

[Written and perpetual better than oral and immediate tradition.]

To conclude; we give all due respect to tradition; but not so much to "oral tradition" as to written tradition, as being more certain, less subject to mistakes, and more easily freed from mistakes;—("*Litera scripta manet;*" a serious person, if he be but to deliver a long message of importance from one to another, will be careful either to receive it in writing or put it in writing;)—nor so much to particular "immediate" tradition, as we do to universal and perpetual tradition. He overshooteth himself beyond all aim, in affirming of "immediate and particular tradition," that where it hath place it is "impossible for usurpations" or abuses "to enter" or find admittance[m]. He might as well tell us, that it is impossible to make a crooked line with a leaden rule. Particular tradition is flexible; and is often bended according to the interests and inclinations of particular ages, and places, and persons. He saith, that there "can be no encroachment," so as men "adhere to this method[n]," that is, "immediate tradition." He telleth us, that they did adhere to this method, and that there was such "immediate tradition[o];" and yet we have seen and felt, that encroachments, and usurpations, and abuses, did not only creep into the Church, but like a violent torrent did bear down all opposition before them. I produce but two witnesses, but they 305
[A.D.1522] are beyond exception. The one is Pope Adrian the Sixth, in

[l] August., [De Baptism.] cont. Donatist., lib. iv. c. 24. [Op. tom. ix. p. 140. C, D.]

[m] [Schism Dispatched, sect. 1. p. 484.]

[n] [Ibid., and Down-Derry, p. 308.]

[o] [Ibid.]

his instructions to his Nuncio Franciscus Cheregatus, when he sent him to the German princes at the Diet of Nuremberg; —"We know, that in the holy See for some yçars past many things have been to be abominated, abuses in spiritual things, excesses in mandates, and all things changed perversely; neither is it to be marvelled at, if sickness descend from the head to the members, from the chiefest Bishops to other inferior prelates[p]," &c.; and again, "Wherein, for so much as concerneth us, you shall promise, that we will do our uttermost endeavour, that in the first place this Court (from whence peradventure this evil hath proceeded) may be reformed, that as the corruption flowed from thence to all inferiors, so likewise the health and reformation of all may proceed from thence[q]." Pope Adrian confesseth "abominable abuses," and "excesses," and "perverse" mutations and corruptions; and yet Mr. Serjeant would make us believe, that where this method of "oral and immediate tradition" is used, there can be no changes. Either this method was not used, or this method is not a sufficient preservative against innovations; both ways his demonstration falleth to the ground. My other witness is the Council of nine chief cardinals; who upon their oaths delivered up as their verdict a bundle of abuses, "grievous abuses," "abuses not to be tolerated" (they are their own words), yea, "monsters," to Paul the Third, in the year 1538; beseeching him that "these spots might be taken away, which if they were admitted in any kingdom or republic, would straight bring it to ruin[r]." Never any man did make "encroachments" and innovations to be "impossible" before this man.

There was no tradition for the Divine right of the Papacy.

His assumption is as false as his major proposition;—"But these two rules" (whereof this is one part, "that the Bishops of Rome as successors of St. Peter did inherit from him this privilege," to be "the first or chief or prince" of Bishops, &c.) "were agreed upon unanimously between the Church of Rome and its dependents and the Church of England, and delivered from hand to hand in them all by the oral and immediate tradition of a world of fathers to a world of chil-

[p] Apud Goldast., Constitut. Imperial., p. 29.

[q] [Ibid.]

[r] Consil. Delect. Cardinal. [de Emend. Eccl., Paulo III. jubente conscriptum], edit. Lutet. [an.] 1612, p. 140; [et in Append. ad Fascic. Rer. Expetend. et Fugiend., pp. 234, 236.]

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dren successively as a rule of discipline received from Christ and His Apostles," &c.[s] If all this were true, it concerneth us nothing; we may perhaps differ from them in judgment, but have no formed quarrel with them about this that I know of. We are willing to submit, not only to the ordinances of Christ, but to the just ordinances of man; and to yield for the common peace and tranquillity of Christendom rather more than is due, than less. But otherwise, how was that "unanimously agreed upon" between the Churches of Rome and England, and so "delivered" by "fathers" to "children" as a thing accorded, whereof the Church of Rome is no better accorded within itself unto this day? I mean, concerning the Divine right of the Bishop of Rome to all the privileges of St. Peter; when the Pope's greatest champions maintain it so coldly, as a thing that is "not improbable;" that "peradventure may be," peradventure may not be; as grounded upon a "fact of St. Peter," that is as much as to say, not upon the mandate of Christ[t].

And though we should be so kind-hearted as to suppose, that there is some part of Papal power, in the abstract not in the concrete, which is of "Christ's own institution," namely, "the beginning of unity," that is, a power to convocate the Church, and to preside in the Church, and to pronounce the sentence of the Church, so far and no further than power purely spiritual doth extend;—(although there be no special mandate of Christ to that purpose, for one to be the successor of St. Peter, or any 'prime' or "chief" of all other Bishops, yet, in the judgment even of the greatest opposers of ecclesiastical hierarchy, it is the dictate of nature that one should preside over the rest,—"*Ex Dei ordinatione perpetuâ necesse fuit, est, et erit, ut in Presbyterio quispiam et loco et dignitate primus actioni gubernandæ præsit*[u];)—yet what is this to that great bulk of ecclesiastical authority, which hath been conferred upon that see by the decrees of œcumenical Councils and by the civil sanctions of Christian emperors? which being human institutions may be changed by human authority. Can one scruple of Divine right convert a whole

[s] [Down-Derry, p. 307.—Schism Dispatched, sect. 1. p. 480, &c.]

[t] [See above c. 1. pp. 379, 380.]

[u] Beza, Defens. [viz. his Respons. ad Hadrian. Sarav. Tract. de Minist. Evang. Grad.,] p. 153. [Genev. 1592.]

mass of human right into Divine? We see Papal power is not equal or alike in all places, but is extended or contracted variously, according to the different privileges and liberties of several Churches and kingdoms. We see at this day the
306 Pope hath very little to do in Sicily (as I have shewed in my Vindication of the Church of England), by reason that one of his predecessors long since hath alienated in a manner the whole ecclesiastical jurisdiction to the sovereign prince of the country and to his heirs[x]. We may call it by deputation or delegation; but this is plain, it is to him and his heirs for ever. This is certain, Divine right cannot be extended or contracted; there is no privilege or prescription against Divine right; that which belongeth to one person by Divine right, cannot be alienated to another person by human right, for then human right should be stronger than Divine right.

In sum;—although there be some colour or pretext of Divine right for a "beginning of unity," wheresoever the Catholic Church should fix it; yet it appeareth evidently by the universal practice of the Christian world in all ages, that there is no colour nor so much as a shadow of Divine right, for all the other branches of Papal power, and those vast privileges of the Roman Court. In the Council of Constance, they damned most of the articles of John Wickliffe downright, without hesitation; but when they came to the one and fortieth article—"It is not necessary to salvation, to believe that the Roman Church is supreme among other Churches,"—they paused and used some reservation,—"It is an error, if by the Roman Church he understood the universal Church, or a general Council, or forasmuch as he should deny the primacy of the Pope above other particular Churches[y]." Their judgment is clear enough; they yielded to the Pope "*primatum*," not '*suprematum*;' a primacy of order, not a supremacy of power; they made him a 'beginning of unity' to all "particular Churches[z]," yet subjected him to the universal Church; they looked upon him as 'highest Bishop, and successor of St. Peter,' but they believed that a general Council had power to shake his candlestick, [Rev. ii. 5.]

[x] [Just Vindic., c. vii. (vol. i. pp. 228.—230), Disc. ii. Pt. i.]
[y] Concil. Constant. [A.D. 1413.] Sess. viii. [ap. Labb., Concil., tom. xii. p. 47. C.]
[z] [Ibid.]

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If he come so far short of Divine right in his fair pretensions, by what right will he seek to justify all his foul usurpations and encroachments, which have no decree of any œcumenical Council to warrant them, no imperial institution to authorise them, which have no foundation but the Pope's own decretals? But I reserve a full account of this for the next part of my answer [b]. Only, reader, be pleased to take notice, that it behoved Mr. Serjeant to have proved his traditions clearly and distinctly, as to those parts of Papal power which are controverted between us in earnest, with the universality of it, and the perpetuity of it. This he neither doth, nor attempteth to do; nor indeed is he or any other able to do; but merely presumeth it, and slubbereth over the matter in deceitful generals.

CHAPTER THE THIRD.

[Mr. Serjeant's assumption,—that the Church of England broke these rules of unity in H ry VIII.'s days.]

We are come now to the last part of his demonstration, which was the minor or assumption of his former syllogism, —that "the Church of England in Henry the Eighth's days did break these rules of unity upon probable reasons, not convincing grounds;"—which, being the main question, he should have fortified with proofs: but he, according to his custom, thinks to carry it with confidence and clamours,— "Does not all the world grant and hold, that King Henry denied the Pope's supremacy? Does not all the world see, that the pretended Church of England stands now otherwise in order to the Church of Rome, than it did in Henry the Seventh's days?" &c. "Was Papal power cast out before? was it not in actual force till and at that time? . . . We beg nothing gratis, but begin our process upon truth acknowledged by the whole world [c]."

What Papal power King Henry did cast out, and what Papal power we hold out, I shall demonstrate to the world, not confusedly but distinctly, by such proofs as are not to be gainsaid for matter of fact.

[a] [Concil. Constant., ibid., et Sess. iv., ibid. p. 19. B.]

[b] [See below cc. 5, 9; pp. 403, &c.]

[c] [Schism Dispatched, sect. 1. pp. 479, 480.]

But before I gird myself to the work, it will not be amiss, for the freeing of the cause from future cumber about them, 307 to give satisfaction to his two circumstances, that we did it only "upon probable reasons," and "in the days of King Henry the Eighth."

Mention of exceptions here impertinent.

For the first, he keepeth a great stir and bustling every where about our "probable reasons[d]," and "the nature of our exceptions[e]." And he would make his reader believe, that I have omitted this part of his words guilefully[f]. All which discourse is superfluous and impertinent. For if he could make good his conclusion, that we have cast out that which "Christ Himself did ordain in Holy Scripture[g]," no reasons nor exceptions can be sufficient, or so demonstrative and convincing, as to justify a wilful violation of "Christ's own ordination." "Every plant" (saith our Saviour) "which My Heavenly Father hath not planted, shall be rooted up." But if this be Christ's own plant, which He Himself hath planted, to go about to root it up were plainly to "fight against God." We renounce all reasons and all exceptions against "Christ's own ordination." His very intimation, that we might do what we did upon "demonstrative" reasons[h], is an implicit confession, that it was not against "Christ's own ordination."

Matt. xv. 13.

[Acts v. 39.]

There was no need why I should meddle with mine own exceptions here; that was his office in the "position of the case[i]." That case is meanly and partially stated, which is stated but on one side; he ought to have included my exceptions in his case. Besides, I was sure to meet with my exceptions in every section; and therefore reserved them for their proper places, as being loth to offend the reader with twice-sodden coleworts. But let him not fear, that I will relinquish my exceptions. I shall maintain them to be demonstrative of the Pope's usurpations in England, and leave them freely to try it out with his "demonstrations."

The first breach before

The second circumstance is concerning the time when the breach is supposed to have been made,—"In the days of

[d] [Ibid.] pp. 477[—479.]
[e] [Ibid.]
[f] [Ibid., p. 480.]
[g] [Ibid., p. 503.—Down-Derry, p. 309.]
[h] [Schism Dispatched, sect. 1. p. 477, &c.]
[i] [Ibid., p. 477.—Down-Derry, p. 307.]

PART I.

Henry VIII. was born.

Henry the Eighth[k];" and it is thus far true, that then the breach was declared, and the war proclaimed to all the world: but this breach was making long before Henry the Eighth was born, from the days of Pope Hildebrand, for about four hundred years. There was no open hostility indeed between the Court of Rome and the Church and kingdom of England; but they were still upon their guards, and still seeking to gain ground one upon another, as appeareth by the decrees, and laws, and machinations of those times. A breach in a strong tower is long making before the walls tumble visibly down; a scathfire is long kindling before it break out in an universal flame; a chronical disease is long gathering and forming before the certain symptoms thereof do appear. We use to say, 'the second blow makes the fray;' but the first blow makes the battery and the guilt. All that time that they were forcing their gross usurpations upon us, the breach was making.

1. Every one involved in a schism, is not a formal schismatic.

I have done with his two circumstances. The substance of his assumption remaineth. But before I grapple with him about that, give me leave to lay down four grounds or considerations, so indifferent, that no rational man can deny them. The first is, that every one who is involved materially in a schism, is not a formal schismatic; no more than she that marrieth after long expectation, believing, and having reason to believe, that her former husband was dead, is a formal adulteress; or than he who is drawn to give Divine worship to a creature by some misapprehension, yet addressing his devotions to the true God, is a formal idolater. A man may be '*baptisatus voto*[l]' (as St. Ambrose said)—'baptised in his desire,' and God Almighty doth accept it; why may he not as well communicate in his desire, and be accepted with God likewise? If St. Austin say true of heresy, that "he who did not run into his error out of his own overweening presumption, nor defends it pertinaciously, but received it from his seduced parents, and is careful to search out the truth, and ready to be corrected if he find it out, he is not to be reputed among heretics[m]." It is much

[k] [Schism Dispatched, sect. 1. p. 480.]

[l] [Ambros., De Obitu Valentin. Consol., § 51—54, Op. tom. ii. p. 1188.]

[m] E[pist.] 162. [editt. before Bened. —43. Ad Glorium, &c. tom. ii. p. 88. F. G. ed. Bened.]

more true of schism, that he who is involved in schism through the error of his parents or predecessors, who secketh carefully for the truth, and is prepared in his mind to embrace it whensoever he finds it, he is not to be reputed a schismatic. This very bond of unity, and preparation of his mind to peace, is an implicit renuntiation and abjuration
308 of his schism before God. This is as comfortable a ground for ignorant Roman Catholics, as for any persons that I know; who are hurried hood-winked into erroneous tenets as necessary points of Faith, and schismatical practices, merely by the authority, and to uphold the interest and ambitious or avaricious courses, of the Roman Court.

2. We are not chargeable with the excesses of our predecessors. Ezek. xviii. 2.

My second ground is this.—God Almighty doth not approve of that unequal proverb, "The fathers have eaten sour grapes, and the children's teeth are set on edge." Posterity is not guilty of their ancestors' transgressions, further than they do either imitate them or maintain them. Suppose these calumnies had been truths, which some have belched forth against our Reformers, that they had sacrilegious or other sinister ends, it signifieth nothing to us, so long as we neither justify them nor imitate them. Jehu's [2 Kings x. 30, 31.] heart was not over upright, and yet God Himself approved his reformation. Suppose any of our Reformers have run into any excesses or extremes, either in their expressions, or perhaps in their actions (it is a difficult thing in great changes to observe a just mean);—it may be out of human frailty, as Lycurgus out of hatred to drunkenness cut down all the vines about Sparta[n], or it may be out of policy, as men use to bend a crooked rod as much the contrary way to make it straight, or as expert masters in music do sometimes draw up their scholars a note too high, to bring them to a just tone; —what is that to us, so long as we practise the mean, and maintain the mean, and guide ourselves by the certain line and level of Apostolical and primitive tradition. Charity commands us to think well of our predecessors, and theology to look well to ourselves.

3. Negative precedents prove more

Thirdly, that difference which divines do make between affirmative and negative precepts, that affirmative bind always

[n] [Plut., De Poet. Audiend., Op. Moral. tom. i. p. 40. ed. Wyttenbach.; of the *Thracian* Lycurgus.]

PART I.

strongly than affirmative.

but not to all times, *semper* but not *ad semper*—a man is bound always to pray, but is not bound to the actual exercise of prayer at all times,—but negative precepts bind both *semper* and *ad semper;* the same I say of affirmative and negative precedents: affirmative precedents prove always that such a fact was done, and it may be that it was justly done at that time in that case, but they prove not a right *ad semper*, to do it at all times [; whereas negative precedents not only always prove a right, but prove a right to exist always°]. The reason is evident: particular acts may be done by connivance, or by special licence; but a general prohibition implieth a perpetual right. As, for instance, I produce negative precedents, both general laws against all appeals to Rome—that no man may appeal to the Pope without the king's licence, and particular prohibitions out of the king's courts, by form of ordinary justice—against such and such appeals, or such and such sentences upon appeals; this argueth a perpetual right to forbid appeals, whensoever it is judged expedient. On the other side, he produceth precedents of particular appeals to Rome (which he may do of later days, but for the first eleven hundred years it was not so): this proveth only the king's licence or connivance in such cases; it doth not prove a perpetual right, because two perpetual rights contradictory one to another cannot be.

4. [Henry VIII. did not deprive the Pope of any jurisdiction purely spiritual.]

My fourth and last ground is, that neither King Henry the Eighth, nor any of our legislators, did ever endeavour to deprive the Bishop of Rome of the power of the Keys, or any part thereof, either the key of order, or the key of jurisdiction; I mean, jurisdiction purely spiritual, which hath place only in the inner court of conscience, and over such persons as submit willingly; nor did ever challenge or endeavour to assume unto themselves either the key of order, or the key of jurisdiction purely spiritual. All which they deprived the Pope of, all which they assumed to themselves, was the external regiment of the Church by coactive power, to be exercised by persons capable of the respective branches of it. This power the Bishops of Rome never had or could have justly over their subjects, but under them whose subjects they were. And therefore when we meet with these words,

° [A clause to this effect has evidently dropped out of the text.]

or the like, that "no foreign prelate shall exercise any manner of power, jurisdiction, superiority, preeminence, or privilege, ecclesiastical or spiritual, within this realm," it is not to be understood of internal or purely spiritual power in the court of conscience, or the power of the Keys (we see the contrary practised every day); but of external and coactive
309 power in ecclesiastical causes '*in foro contentioso.*' And that it is and ought to be so understood, I prove clearly by a proviso in one main Act of Parliament, and a canon of the English Church.

First, the proviso is contained in the "Act for the Exoneration of the King's Subjects from all exactions and impositions paid to the See of Rome."—"Provided always this Act, nor any thing therein contained, shall be hereafter interpreted or expounded, that your Grace, your Nobles and subjects, intend by the same to decline and vary from the Congregation of Christ's Church in any things concerning the very articles of the Catholic Faith of Christendom, or [in] any other things declared by the Scripture and the Word of God necessary for your and their salvations; but only to make an ordinance by policies, necessary and convenient to repress vice, and for good conservation of this realm in peace, unity, and tranquillity, from ravine and spoil, insuing much the old ancient customs of this realm in that behalf[p]." They profess their ordinance is merely political;—what hath a political ordinance to do with power purely spiritual? They seek only to preserve the kingdom "from ravine and spoil;"—power purely spiritual can commit no ravine or spoil. They follow "ancient customs of the realm;"—there was no ancient custom of the realm for abolition or translation of power purely spiritual. They profess all conformity to Holy Scriptures; but the power of the Keys was evidently given by Christ in Scripture to His Apostles and their successors, not to sovereign princes. If any thing had been contained in this law for the abolition or translation of power merely and purely spiritual, it had been retracted by this proviso at the same time it was enacted.

The canon is the thirty-seventh canon, where we give the

[p] 25 Hen. VIII. c. [21. § 19. "decline *or* vary" &c.]

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King's Majesty the supreme government;—"We do not give our kings either the administration of God's Word or Sacraments, which the Injunctions published lately by Queen Elizabeth do most evidently declare, but only that prerogative which we see to have been always attributed to all godly princes by Himself in Holy Scripture; that is, to preserve or contain all estates and orders committed to their trust by God, whether they be ecclesiastical or civil, in their duties, and restrain contumacious offenders with the civil sword[q]." You see the power is political, the sword is political, all is political. Our kings leave the power of the Keys, and jurisdiction purely spiritual, to those to whom Christ hath left it.

CHAPTER THE FOURTH.

The Pope and Court of Rome did break the bonds of unity, not we.

And now, having dispatched the circumstances out of my way, and laid down some necessary grounds, I come directly to the substance of his assumption; and affirm, that neither the king of England, nor the Church of England, neither Convocation nor Parliament, did break his two necessary bonds of Christian unity, or either of them, or any part of either of them; but that the very breakers and violaters of these rules were the Pope and Court of Rome; they did break his rule of Faith, by adding new points to the necessary doctrine of saving truth, which were not the legacies of Christ and His Apostles, nor delivered unto us by universal and perpetual tradition. The Pope and Court of Rome did break his second rule of unity in discipline, by obtruding their excessive and intolerable usurpations upon the Christian world, and particularly upon the Church of England, as necessary conditions of their communion.

It appeareth plainly, by comparing that which hath been said with his "position of the case," that after all his brags of "undeniable evidence" and "unquestionable certainty[r]" he hath quite missed the question. We join with him in his rule of Faith; we oppose not St. Peter's primacy of order;

[q] [Article 37, translated by Bramhall himself.]

[r] [Down-Derry, pp. 306, 307.—Schism Dispatched, sect. 1. p. 477.]

and he himself dare not say, that St. Peter had a larger or more extended power than the rest of his fellow-Apostles. And though we cannot force our understandings to assent, that after the death of St. Peter, Linus, or Cletus, or Clemens, or Anacletus, were superiors to St. John, and had actual jurisdiction over him, who had as large a commission immediately from Christ as St. Peter himself, and larger than any succeeding Roman Bishop ever had; yet, to shew him how little we are concerned in it, and for his clearer conviction, we are willing to suppose that they were his superiors, and give him leave to make all the advantage of his second rule which he can in this cause.

And here, if I regarded not the satisfaction of myself and the reader more than his opposition, I might "withdraw my hand from the table." But I am so great a friend of ingenuity, that I will for once discharge his office, and shew the world demonstratively and distinctly, what branches of Papal power were cast out of England by Henry the Eighth; upon which consideration the weight of the whole controversy doth lie. For it is agreed between us, that if it appear "by rigorous evidence," that all those branches of Papal power, which were renounced and cast out of England by Henry the Eighth, were gross "usurpations," then "his renouncing was no criminal breach, but a lawful self-enfranchisement[a];" and, by undeniable consequence, the guilt of schism resteth upon them who made the usurpations, that is, the Pope and Court of Rome. I add further upon the equity of my second ground, that although Henry the Eighth had cast out something more than he ought, yet, if we hold not out more than we ought, and be ready to admit all which ought to be admitted by us, then we are innocent and free from the guilt of schism, and it resteth solely upon them, who either will have more than their due or nothing. Wheresoever the fault is, there the guilt of schism is: if the fault be single, the guilt is single; if the fault be mutual, the guilt is mutual.

And for "rigorous evidence," there cannot possibly be any evidence more demonstrative what Papal power was cast out of England, than the very Acts of Parliament themselves, by which it was cast out. Let us view them all.

[a] [Schism Dispatched, p. 475.]

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What branches of Papal power were cast out of England by Henry [VIII.]

The first Act made in the reign of Henry the Eighth, which hath any reference to Rome, is the Act for holding "plurality of benefices" against the laws of the land by dispensation from the Court of Rome, making 'licences for non-residence from the Court of Rome to be void,' and 'the party who procureth such licences for pluralities or non-residence, to forfeit twenty pounds,' and to "lose the profits of that benefice" which he holdeth "by such dispensation[t]." It were a pretty thing indeed, if the Church and kingdom should make necessary laws, and the Pope might give them liberty to break them at his pleasure.

The second Act is, that "no person shall be cited out of the diocese where he dwelleth, except in certain cases[u]:" which, though it may seem to reflect upon the Court of Rome, yet I do not find that it is concerned in it, but the "Arches, Audience, and other Archiepiscopal courts" within the realm.

The third Act is merely declarative of the law of the land, as well the common laws as the statute laws, and grounded wholly upon them, as by the view of the statute itself doth appear. So it casteth out no foreign power but what the laws had cast out before. The sum of it is this, that all causes "matrimonial, testamentary, or about tithes," &c. "shall be heard" and "finally judged" in England by the proper judges ecclesiastical and civil respectively, "and not elsewhere," notwithstanding "any foreign inhibitions, appeals, sentences, citations, suspensions, or excommunications;" and that if any English subject "procure a process, inhibition, appeal," &c. "from or to the Court of Rome," or "execute" them "to the hindrance of any process" here, "he shall incur the penalties ordained by the Statute of Provision or Præmunire, made in the sixteenth year of King Richard the Second, against such as make provision to the See of Rome[x]." This law was enlarged afterwards to all causes of ecclesiastical cognizance, and all appeals to Rome forbidden[y].

The fourth Act is an "Act for punishing of Heresy[z]," wherein there are three clauses that concern the Bishop of

[t] [21 Hen. VIII. c. 13. § 11.]
[u] 23 Hen. VIII. c. 9. [title.]
[x] 24 Hen. VIII. c. 12. [For the Restraint of Appeals; § 2 and 4. "From or to the *See* of Rome, or from or to any *other* foreign *Court*," &c.]
[y] 25 Hen. VIII. c. 19. [§ 3.]
[z] 25 Hen. VIII. c. 14.

Rome. The first is this, "And that there be many heresies, and pains and punishments for heresies, declared and ordained in and by the canonical sanctions and by the laws and ordinances made by the Popes or Bishops of Rome, and by their authorities, for holding, doing, preaching of things contrary to the said canonical sanctions, laws, and ordinances, which be but human, being mere repugnant and contrarious to the royal prerogative, regal jurisdiction, laws, statutes, and ordinances of this realm[a]." The second clause is, that "no licence be obtained of the Bishop of Rome to preach in any part of this realm, or to do any thing contrary to the laws and statutes of this realm, or the king's pre-
311 rogative royal[b]." The third clause followeth, that "the decrees of the Bishops of Rome, not confirmed by Holy Scriptures, were never commonly attested to be any law of God or man within this realm;" and that it should not be "deemed heresy" to "speak or do contrary to the pretended power or authority of the Bishop of Rome, made or given by human laws and not by Scriptures; nor to speak or act contrary to the laws of the Bishop of Rome being contrary to the laws of this realm[c]."

Discourse IV.

What branches of Papal power were cast out of England by Henry VIII.

The fifth Act is an "Act concerning the Submission of the Clergy to the King's Majesty." The scope of it is this; that the clergy shall not assemble in Convocation, nor "make or promulge any new canons," without "the king's license;"—hitherto there is nothing new in point of law;—then, that "the king's [Highness] should have power" to name and constitute "two and thirty" commissioners, "sixteen of the clergy" and other sixteen of the Peers and Parliament, "to view" the ecclesiastical laws of the kingdom, and declare which were fit to be retained, and which were to be abrogated[d]. The same law is confirmed and enlarged[e].

The sixth law 'restraineth the payment of tenths and first-fruits to the Bishop of Rome;' and prescribeth how Arch-Bishops, Bishops, &c., are to be elected and consecrated within the realm, without payment of any thing to Rome for Bulls and palls, &c.[f]

[a] [Ibid., § 1. See Statutes of the Realm.]
[b] [Ibid., § 5.]
[c] [Ibid., § 7; abridged.]
[d] 25 Hen. VIII. c. 19. [§ 1 and 2.]
[e] 27 Hen. VIII. c. 15.
[f] 25 Hen. VIII. [c. 20. § 3.]

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What branches of Papal power were cast out of England by Henry VIII.

The seventh law is an "Act of Exoneration of the King's subjects from exactions and impositions heretofore paid to the See of Rome," for "pensions, Peterpence, . . licenses, dispensations, confirmations, faculties," &c.; "and for having licenses and dispensations within the realm," without further suing for the same; as being "usurpations" contrary to the law of the land[g].

The eighth Act is "concerning the King's Highness to be supreme Head of the Church of England" (that is, political Head) "and to have authority to redress all errors, heresies, and abuses in the same[h];" that is to say, with external coactive jurisdiction. We never gave our kings the power of the keys, or any part of either the key of order, or the key of jurisdiction purely spiritual; but only that coactive power in the external regiment of the Church, which their predecessors had always enjoyed.

The ninth Act is, for the annexing tenths and first-fruits to the Crown, for the better "supportation" of the burdens of the Commonwealth[i].

The tenth Act is an "Act extinguishing the authority of the Bishop of Rome," or "extirpating it out of this realm[k];" that is, not the Bishop of Rome's primacy of order, not his "beginning of unity," not that respect which is due to him as Bishop of an Apostolical See;—if he have not these, it is his own fault, this is not our quarrel; it is so far from it, that we do not envy him any just legacies of Christian emperors or general Councils;—but that which our ancestors did "extinguish," and endeavour to "extirpate" out of England, was the Pope's external coactive power over the king's subjects '*in foro contentioso*;' as we shall see by and by, when we come to state the quarrel rightly between us.

After this Act there followed an eleventh Act, made for corroborating of this last Act, "to exclude the usurped power and jurisdiction of the Bishops of Rome[l]." And both these Acts are backed with new oaths, as those times were fruitful of oaths, such as they were.

[g] [25 Hen. VIII. c. 21. § 1—4.]

[h] 26 Hen. VIII. c. 1. [See Statutes of the Realm.]

[i] 26 Hen. VIII. c. 3. [ibid. For the "supportation," &c., "of the royal estate" of the king.]

[k] 28 Hen. VIII. c. 10. [ibid.]

[l] 35 Hen. VIII. c. [1. § 7. ibid.]

What branches of Papal power were cast out of England by Henry VIII.

The last Act of any moment was an "Act of Ratification of the King's Majesty's style of Supreme Head of the Church of England," making it treason to attempt to deprive the king of it[m]. But as well the eighth Act, which gave the king that title of "the Head of the Church," as this twelfth Act, which makes it treason to attempt to deprive the king of it, are both repealed, and never were restored. So are likewise the tenth Act, of "extinguishing the authority of the Bishop of Rome," and the eleventh Act made for corroboration of that Act, with both their oaths included in them.

All that hath been added since of moment, which concerneth the Bishop of Rome, is one Act, "restoring to the Crown the ancient jurisdiction over the state ecclesiastical and spiritual, and abolishing all foreign power repugnant to the same[n]." Here is no new power created in the Crown, but only an "ancient jurisdiction restored." Here is no foreign power abolished, but only that which is "repugnant" to 'the ancient laws of England, and to the prerogative
312 royal[o].' In a word, here is no power ascribed to our kings, but merely political and coactive, to see that all their subjects do their duties in their several places. Coactive power is one of the keys of the kingdom of this world, it is none of the keys of the Kingdom of Heaven. This might have been expressed in words less subject to exception. But the case is clear. The grand Act 25 Hen. VIII. cap. [21], the Injunctions of Queen Elizabeth[p], the Articles of our Church, Art. 37, do all proclaim that this power is merely political. Christ gave St. Peter a commission to preach, to baptize, to bind and loose in the court of conscience; but where did He give him a commission to give licences, to grant faculties, to make laws, to dispense with laws, to receive appeals, to impose tenths and first-fruits in other men's kingdoms, whether the right owner will or no? Who gave him power to take other men's subjects against their wills to be his officers and apparitors? That is more power than Christ Himself did challenge here upon earth.

See Luke xii. 14. ["Who made Me a judge or a divider over you?"]

[m] 35 Hen. VIII. c. 3.
[n] 1 Eliz. c. 1. [title. See Statutes of the Realm.]
[o] [Ibid., § 1.]
[p] [Admonition at the end of Qu. Elizabeth's Injunctions, in Bp. Sparrow's Collection of Articles, &c.]

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And now, reader, take a stand, and look about thee; see among all these branches of Papal power which were cast out of England, if thou canst find either of St. Peter's Keys, or his "primacy of order," or his "beginning of unity," or any thing which is purely spiritual, that hath no further influence than merely the court of conscience. No; but on the other side, behold a pack of the grossest usurpations that ever were hatched, and all so late, that it was above a thousand years after the death of St. Peter before any of his pretended privileges did see the sun in England; observe them one by one.—

[1. The Pope's dispensative power.]

The first is, a power to dispense with English subjects for holding "plurality of benefices" contrary to the laws of England; and for non-residents contrary to the statutes of the realm[q]. It had been much to have made merchandise of his own decrees: but to dispense with the laws of the land! "*Non auderet hæc facere viduæ mulieri*"—"he durst not do so much to a poor widow-woman," as he did to the Church and kingdom of England—to dispense with their laws at his pleasure. It is but vain for the flower of our kingdom to assemble and consult about healthful laws, if a foreigner have power to dispense with the breach of them, as it seemeth good in his eyes. They might as well sit them down quietly, and fall to pilling of rushes.

[2. His judiciary power.]

The second branch of Papal power, which was excluded out of England, was the Pope's judiciary power; I do not mean in controversies of Faith, when he is in the head of a council;—yet Eugenius the Fourth confesseth, that in points of "Faith" the "sentence of the Council is rather to be attended" than the sentence of the Pope[r];—but I mean in points of *meum* and *tuum;* not only in some rare cases between Bishop and Bishop, which had been less intolerable, and had had more shew of justice; but generally in all cases promiscuously, as if the whole nation wanted either discretion or law to determine their own differences at home, without the help of the Roman courtier to squeeze their purses. It was not Henry the Eighth, but the old laws of England[s], which gave them this blow against appeals to Rome.

[q] 21 Hen. VIII. c. 13.

[r] Concil. Basil. [A.D. 1431] Sess. xvi. in revocat. Bullæ III.tiæ; [ap. Labb., Concil., tom. xii. p. 537. E.]

[s] 24 Hen. VIII. c. 12.

The third branch of Papal power, which was turned out of England by Henry the Eighth, was the Pope's legislative power, especially in making new heresies by his own authority, and for his own interest, prescribing the punishment, as if all the world were his subjects. Mr. Serjeant may be pleased to inform himself better, that the Pope's canons and decretals never had, since the first conversion of England, the force or power of laws in England, until they were received by the nation, nor then any further than they were received. [3. His legislative power.]

The fourth branch is the sovereign patronage of the English Church, with all those rights and appurtenances which belong thereunto: as to convocate the clergy, and dissolve their assembly; to exempt their persons from secular judgment; to have the disposition of ecclesiastical dignities, and the *custodium* of them in the vacancy. But these things are so notorious to all those who are acquainted with the ecclesiastical customs of England, that there can be no manner of question of it. The Convocation was always called and dissolved by the absolute and precise mandate of the king to the Archbishop; yea, even when the Archbishop was the Pope's legate, and when he might have challenged another
313 right, if the Pope had had any pretence. The temporalities of the Bishoprics in the vacancy were ever seized into the hands of the king, until he granted out his writ of "*Manum amoveas*," or "*Oster la main*[t]." If ordinary patrons did not present in due time to a benefice, it devolved to the ordinary, and from him to the king; there it stayed;—"*Nullum tempus occurrit regi*[u]." [4. His sovereign patronage of the English Church.]

The fifth privilege was the receiving of tenths and first-fruits, which were a late encroachment of the Bishop of Rome upon the clergy, without any just ground, and upon that score were condemned in the Councils of Constance and Basle[x], and now were seized into the king's hand, towards the discharge of the ecclesiastical burdens of the kingdom. [5. Tenths and first-fruits.]

The last perquisite, which the Pope lost, was all the profits

[t] [See Gibson's Codex, tit. xxix. c. 3. pp. 654, &c.]

[u] [17 Edw. II. c. 8. See Gibson, tit. xxxiii. c. 4. p. 766.]

[x] [Act. Concil. Constant. Sess. xliii. (A. D. 1417.); ap. Labb., Concil., tom. xii. pp. 254, 255.—Act. Concil. Basil., Sess. xxi. (A. D. 1435). can. 1. ap. Labb., ibid. p. 552. B—D.]

PART I.

[6. The profits of the Roman Court.]

of his Court, by Bulls, and palls, and pensions, and reservations, and exemptions, and licenses, and dispensations, and confirmations, and pardons, and indulgences, and a hundred other pecuniary artifices practised in his Court at Rome, and in his legantine courts and nunciatures abroad. But this abuse is so foul, that the Pope's own selected Cardinals do cry shame upon it, as much as we; and lay down this general rule, that "it is not lawful to make any gain by the exercise of the Keys," seeing we have "the firm word of Christ, 'Freely ye have received, freely give,'" &c. "For as the use which now prevaileth doth disgrace the See of Rome, and disturbeth Christian people, so the contrary practice would bring much honour to this see, and marvellously edify the people [y]."

The true difference about the Papacy.

These are the real differences between the See of Rome, and the Church and kingdom of England, concerning the Papacy. All these altercations, which we have about "Thou art Peter," and the Keys given to St. Peter, and "Feed My Sheep," and "I have prayed for thee," are but like to the tinkling of Cybele's priests upon their cymbals, on purpose to deaf the ears of the spectators, and to conceal the cries and ejaculations of poor oppressed Christians.

[Division of the subject.]

To reduce them into a little better method than they lie in the statutes.

The main questions are, or may be reduced to, four heads.

I. The first grand question is concerning the sovereignty of the English Church, in respect of the external regiment thereof. This hath four subordinate branches.—1. First, who is the right patron of the English Church under God, the king, or the Pope. 2. Secondly, who hath power to convocate synods of the king's subjects within England, the king, or the Pope. 3. Thirdly, whether the Pope have justly imposed new oaths upon the Archbishops and Bishops. 4. Fourthly, whether tenths and first-fruits in England be due to the See of Rome.

II. The second question is concerning the Pope's legislative power—whether the canon law, or the Decretals, have been anciently esteemed binding laws in England, or ought

[y] Consil. Delect. Cardinal. [de Emend. Eccl., Paulo III. jubente conscriptum, in Append. ad Fascic. Rer. Expetend. et Fugiend., pp. 232, 234.]

to be so esteemed, except they be received by the English nation, and matriculated among our laws. DISCOURSE IV.

III. The third is concerning his judiciary power. 1. Whether the Bishop of Rome can receive appeals from England by the ancient laws of that land, and send for whom he pleaseth to Rome. 2. Whether Bulls and excommunications from Rome can be lawfully executed in England, except the king give leave for the execution of them. 3. Whether the Pope can send legates and set up legantine courts in England by the ancient laws of that realm.

IV. The fourth difference is concerning the Pope's dispensative power. 1. Whether the Pope can dispense with the laws of England. 2. Whether we stand in need of his dispensations.

In every one of these differences, we maintain, that the Bishop of Rome and the Court of Rome have been guilty of most gross usurpations.

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314 CHAPTER THE FIFTH.

To begin with the first.—If it were necessary to call in any foreign subsidiary supplies, for the further fortifying of the king of England's sovereign patronage, under God, of the Church within his territories; I might find strong recruits from the Greek emperors, to shew that they always practised this power within their dominions, to place Bishops in vacant sees; and that the contrary was '*hactenus inauditum*'—'never heard of' in St. Gregory's days[z]. To them I might add the French and German emperors, who not only enjoyed the same privilege by ancient custom, but to whom the Roman Bishops disclaimed it, with all their clergy, judges, and lawyers; Adrian the First to Charles the Great anno 774[a], and Leo the Eighth to the emperor Otho anno 964[b]. I might produce the precedents of the Spanish monarchs, Conc. Tolet. XII. cap. 6[c]. It were a most unreasonable

I. To whom the *patronage* of the English Church doth of right belong.

[z] [See] Greg. [M., Epist.] Regist., lib. iv. Indict. 13. cc. 7, 8. [secund. vett. editt.—lib. ii. Epistt. 22, 23. Op. tom. ii. pp. 585. C, 586. A. ed. Bened.]

[a] [See Goldast., Constitut. Imperial., P. i. p. 1; Gratian, Decret., P. i. Dist. 63. c. 22; and Bellarm., De Clericis, lib. i. c. 9. Op. tom. i. p. 1403. A, B.]

[b] [Id., ibid. pp. 34—37; and Bellarm., ibid.]

[c] [Concil. Tolet. XII. (X. ap. Cave, A.D. 681.) capit. 6; ap. Labb., Concil., tom. vi. p. 1230.]

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thing, that sovereign princes should be trusted with the government of their people, and have their Bishops, who must participate in the government by informing the consciences of their subjects, be obtruded on them by strangers. I cannot omit the observation of a learned Bishop, that "*Quacunque ratione ad Pontificatum pateret ingressus, nemo Apostolicæ Cymbæ gubernacula capessebat, ni prius Imperatoris authoritas intercessisset*"—"By what way soever the election of the Pope was made" (and Bellarmine[e] mentioneth seven changes in the manner of choosing the Pope), "yet no man was ever admitted to the actual government of the Apostolical See without the emperor's confirmation."

1. The right to give Bishoprics in England is the king's.

1. But our case is strong enough without twisting any foreign precedents with it. William the Conqueror, William Rufus, and Henry the First, did enjoy the right of placing in vacant sees, by the tradition of a ring, and of a crosier staff, without ever seeking for foreign approbation, or ordination, or confirmation[f]; as their predecessors, kings of England and Britain, had done before them; else it had been very strange. The Roman Rota will give decisive sentence for him to be patron of a Church, who first builded it and endowed it[g]. But then after eleven hundred years were effluxed (a strange time to set up a Divine right), Gregory the Seventh (otherwise called Pope Hildebrand), and after him Pope Callixtus, did condemn all investitures taken from a lay hand, and prohibit the Archbishops to consecrate any persons so invested[h]. "*Præsens audivi in Romano concilio prohiberi,*" saith Anselm,—"I heard it with mine own ears prohibited in the Roman Court[i]." But what were their reasons? I believe, not over "rigorous demonstrations." The first was frequent suspicion of simony[k]: an unheard of piece of justice, to take away an hereditary right for suspicion of a personal fault. The second and third reasons are contained in the letter of Adrian the Fourth to Frederick the

[e] Bellarm., De Cler. lib. i. c. 9. [as before quoted. For "seven" read "five."]

[f] [See below, pp. 406, 407.]

[g] [Deciss. Audit. Rot. Rom., P. i. Decis. 385. Num. 14, tom. i. p. 236. ed. Lugd. 1618. See Van Espen, Jus Eccl. Univ., P. ii. Sect. iii. tit. 8. § 6—11.]

[h] [Scil. A. D. 1080, by Gregory VII. (Thomassin, Vet. et Nov. Discipl., P. ii. lib. ii. c. 38. § 3.) with the Council of Rome; and A.D. 1119, by Callixtus III. (Id., ibid. § 4.) in the Council of Rheims.]

[i] Apud Eadmerum [Hist. Nov., lib. iii. p. 70. ed. Seld. And see] Hoveden, [Annal. P. prior,] in Hen. I., [pp. 471, 475.]

[k] [See Mosh., Eccl. Hist., Cent. xi. P. ii. c. 2. § 12, 14. ed. Soames.]

First[l];—"*Ab his qui Dii sunt, et filii Excelsi omnes, homagium requiris, fidelitatem exigis, et manus eorum sacratas manibus tuis innectis*"—"Thou requirest homage of those who are Gods, and all the children of the Most High, thou exactest an oath of fidelity, and knittest their sacred hands within thy hands:"—a strange presumption in a sovereign prince, if you mark it well, to hold his subject's hands within his hands, whilst he was swearing his allegiance. But the main exception was the homage or oath of fidelity itself. And was it not high time, think you, to except against their swearing of fidelity to their native prince, whom the Bishops of Rome intended to exempt from his jurisdiction, and to make them turn subjects to themselves; as they did in a great part effect it very shortly after. Then was the time whereof Platina speaks, that "there was great consultation about the homage and fealty and oaths of Bishops, which in former times were sworn to lay-men[m]." Were they so indeed? Here is an ingenuous confession of the Pope's own library-keeper.

Indeed, at the first, whilst they were robbing the king of the jewels of his Crown, they preached up nothing but free elections; but after they had once seized their prey, they changed their note forthwith to "*Dei et Apostolicæ sedis gratiâ*"—"By the grace of God, and the Apostolic See;" or, "*Ex plenitudine ecclesiasticæ potestatis*"—"Out of the fulness of our ecclesiastical power[n]." And when this bell
315 had rung out a while, Egypt never abounded more with caterpillars, than our native country did with provisions, and reservations, and pensions, with all the hellish arts of sublimated simony. Then our best dignities and benefices were filled with strangers (who could not speak an English word, nor did ever tread upon English ground,) daily more and more, until these well chosen pastors, who knew how to shear their flocks, though they did not know how to feed them, received yearly out of the kingdom more than the revenues of the Crown[o]. He were very simple, who should think the Court of Rome did not lick their own fingers.

[l] Apud Goldast., [Constitut. Imper., P. i. p. 58.]

[m] Platin., in [Vitâ] Paschal. II. [p. 176, 2.]

[n] Matt. Paris., an. 1229. [p. 355.]

[o] Matt. Paris., in Hen. III. an. 1245. [p. 667.]

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There remaineth but one thing to be done, to stick the guilt of this intolerable usurpation undeniably upon the See of Rome; that is, to shew, that the investiture of Bishops was the undoubted right of the Crown.

This is as clear as the sun, both in our most authentic historiographers and records, if I had the means to produce them, and also in our ancient laws, published long since to the world in print, and these not enactive of new law but declarative of the fundamental law of the land.

[Our histories.]

First, for our histories. Gervasius Dorobernensis relateth, that Lanfranc desired of William the Conqueror the patronage of the Abbey of St. Austin; but the king answered, "*se velle omnes baculos pastorales in manu tenere*"—"that he would keep all the crosier-staffs" (that is, the investitures) "in his own hand[p]." The same is testified of Anselm himself, by one whose authority cannot be doubted of;—"He" (Anselm), "after the manner and example of his predecessor, was inducted according to the custom of the land and did homage to the king" ("*homo regis factus est*") "as Lanfranc" (his predecessor in the Archbishopric of Canterbury) "in his time had done[q]." And the manner of his investiture is related, how the Bishops pulled him and haled him as it were by violence to the king's bed-side (William Rufus), where he lay sick, and helped to thrust the crosier-staff by force into his hand[r]. Yet all that time, though Anselm had many other pretences, he had no exception against investiture by a lay-hand; but shortly after it grew to such a height (and Anselm was the chief stickler in it), that William the agent of King Henry the First protested openly to Pope Paschal, "Whatsoever is said on this side or on that, I would have all men here present to know, that my lord the king of England will not suffer the loss of his investitures for the loss of his kingdom[s];" to whom Pope Paschal answered as resolutely, but not so justly, "Know thou, I speak it before God, that Paschal the Pope will not suffer him to keep them without punishment, no, not for the redemption of his head[t]."

[p] [Gervas. Dorobern., Imagin. de Discord. inter Monach. Dorobern. et Balduin. Archiepisc., ap. Twysden, Hist. Anglic. Script. X. p. 1327.]

[q] Eadmer., [Hist. Nov.,] lib. i. p. 20.

[r] Id., [ibid.] lib. i. p. 18.

[s] Id., [ibid.] lib. iii. p. 73.

[t] [Id., ibid.]

Neither was this the case of Anselm or Lanfranc alone, but the common case of all Bishops in those days. Hear the confession of the same author;—"To conclude, the very cause" (of the difference between the king and Anselm) "seemed a new thing" (or innovation) "to this our age, and unheard of to the English, from the time that the Normans began to reign (that I say not sooner); for from the time that William the Norman conquered that land, no Bishop or Abbot was made before Anselm, who did not first do homage to the king, and from his hand by the gift of a crosier-staff receive the investiture to his Bishopric or Abbacy, except two Bishops of Rochester[u]," who were surrogates to the Archbishop of Canterbury, and inducted by him by the king's concession. DISCOURSE IV.

Yea, by his favour, so did Anselm himself, though he sought afterwards to wave it; and though he be loth to speak out ("that I say not sooner"), yet he might have said "sooner," and others do say "sooner;" as Ingulph the Abbot of Crowland in the time of the Conqueror,—"For many years past there hath been no free election of prelates, but the king's court did confer all dignities according to their pleasure, by a ring and by a crosier[x]." And this custom had held not only "for many years" but for many ages;—King Edgar did grant to the monks of Glastonbury the free "election of their Abbot for ever;" but he "reserved to himself and to his heirs" the power to invest the brother elected "by the tradition of the pastoral staff[y]."

Thus for our histories, now for our laws; whereof I shall need to cite but three. [Our laws.]

The first is the Statute, or Assise, or Memorial, of Clarendon; containing part of "the ancient liberties and customs" of the realm, made in the general assembly of the kingdom, king, Bishops, Peers: to which they gave both their oaths assertory for the truth of it, and promissory for performance
316 of it. The fourth custom was this, that 'when an Arch-Bishopric, Bishopric, Abbacy, or Priory, did fall void, the election was to be made by such of the principal dignitaries

[u] Eadmer, [ibid.] in Præfat. p. 2.

[x] [Ingulph., Histor.; ap. Savil., Rer. Angl. Script., p. 896.]

[y] Malmesb., De Gestis Reg. [Angl.], lib. ii. c. 8. [p. 57.]

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The second law is the Statute of Carlisle, made in the time of Edward the First. The sum of it is this;—that "the king is the founder of all Bishoprics, and ought to have the custody of them in the vacancies, and the right of patronage to present to them;" and that "the Bishop of Rome, usurping the right of patronage, giveth them to aliens:" that this "tendeth to the annullation of the state of Holy Church, to the disinheriting of kings, and the destruction of the realm:" and they ordained in full parliament, that "this is an oppression" (that is as much as an "encroachment" or "usurpation"), "and should not be suffered[a]."

The third law was made in the [2]5th year of Edward the Third, called the Statute of Provisors; wherein they affirm, that, "elections were first granted by the king's progenitors upon a certain form or condition to demand license of the king to choose, and after the election to have his royal assent; . . which conditions not being kept, the thing ought by reason to resort to his first nature;" and therefore conclude, that "in case reservation, collation, or provision, be made by the Court of Rome of any Archbishopric," &c., "our sovereign lord the king and his heirs shall have and enjoy the collations for the same time to the said Archbishoprics, Bishoprics, and other dignities elective, which be of his advowry, such as his progenitors had before the free election was granted[b]." They tell the king plainly, that "the right of the Crown of England and the law of the land is such," that the king "is bound to make remedies and laws against such mischiefs[c]:" and they acknowledge, "that he is advowee paramount immediate of all Churches, prebends, and other benefices, which are of the advowry of Holy Church[d]."

[z] [Matt. Paris., in an. 1164. p. 101.]
[a] [35 Edw. I. c. 4. § 3. See Just Vindic., c. iv. (vol. i. p. 145. note d), Disc. ii. Pt. i.]
[b] [25 Edw. III. Stat. 6. § 3.]
[c] [Ibid. § 2.]
[d] [Ibid. § 4.]

That is as much as sovereign patron of the Church. Where no election can be made without the king's *Congè d' Eslire* or leave antecedent, nor stand good without his subsequent consent, it is all one as if the Crown did collate. Discourse IV.

2. I come next to the second branch of the first question, about the patronage of the Church;—who hath power to convocate and dissolve ecclesiastical assemblies; and whether the Crown or the Pope have usurped one upon another in this particular. 2. The right to convocate English synods is the king's.

I cannot tell whether Henry the Eighth or Paul the Third did mistake more about that airy title of the "Head of the English Church;" Henry the Eighth supposing, that the right to convocate and dissolve ecclesiastical assemblies, and to receive tenths and first-fruits, did essentially follow this title[e]; and Paul the Third declaring it to be "heretical" and "schismatical[f]." To be "Head of the English Church," is neither more nor less than our laws and histories, ancient and modern, do every where ascribe to our English kings;—to be "governors of Christians[g];" to be "the advocates of the Church[h]," to be "patrons" and "advowees paramount of all churches[i];" to be "Defenders of the Faith" there professed, and, to use the words of the Convocation itself, "*Ecclesiæ Anglicanæ Protectores singulares, Unicos et Supremos Dominos*[k]." The same body may have several heads of several kinds upon earth, as political and ecclesiastical; and then that which takes care of the architectonical end—to see that every member do his duty—is always supreme; that is the political head. This truth Cardinal Pole did see clearly enough, and reconcile the seeming difference by distinguishing between a "regal Head," and a "sacerdotal Head[l]." This truth the French Divines see well enough, and doubt not to call their king "the terrene Head of the Church of his realm[m]," with- [In point of right.]

[e] [26 Hen. VIII. c. 3. § 1, 2.]

[f] [Bull. Paul. III. (A.D. 1538), ap. Sander., De Schism., lib. i. pp. 131, sq.]

[g] [Leg. Edw. Confess., c. xv; ap. Spelm., Concil., tom. i. p. 622. Matt. Paris., in an. 1241, p. 555.]

[h] [Matt. Paris., in an. 1245. p. 667.]

[i] [25 Edw. III. Stat. 6. § 3, as above quoted. See also Legg. Canuti, c. 9; ap. Spelm., Concil., tom. i. p. 554: and Bull. Nicol. II. ad Edw. Confessor., ap. Spelm., ibid. p. 634.]

[k] [Concess. facta per Cler. Cant. pro Dom. Rege, an. 1530; ap. Wilkins, Concil., tom. iii. p. 742, &c.]

[l] Polus, De Concil., [Respons. ad Quæst. 75,] p. 70. [Venet. 1562,—527. Lovan. 1567.]

[m] [See Twysd., Histor. Vindic., c. v. § 15. pp. 105, 106, quoting Fauchet en les Droits et Libertéz de l'Eglise Gallicane: and Du Maillane's edit. of the Droits et Libertéz &c., tom. i. pp. 91, &c.]

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out attributing to him any sacerdotal right. We had our "sacerdotal Heads" too in England, without seeking for them so far as Rome; as the Archbishop of Canterbury in the reigns of our English monarchs, who of old was "*nullius unquam legati ditioni subjectus*"—"never subject to the jurisdiction of any legate[n]." When the Pope sent over Guy Archbishop of Vienna into England as his legate throughout Britain for the Apostolical See, it was received with wonder and admiration of all men:—"*Inauditum scilicet in Britanniâ cuncti scientes quemlibet hominum super se vices Apostolicas gerere, nisi solum Episcopum Cantuariæ*"—"All men did know, that it was never heard in Britain, that any man whatsoever had Apostolical power over them but only the Archbishop of Canterbury[o]." And accordingly the new legate did speed; 317
so it followeth, "Wherefore as he came so he returned, received as legate by no man, nor having exercised any part of his legantine power[p]." This was the ground of that letter of the English Bishops to the Pope;—that "the Church of Canterbury might not be deprived of its dignity in his times," and that he "would neither diminish it himself, nor suffer it to be diminished[q]:" as appeareth by the Pope's acknowledgment in his answer.

But to come up close to the difference. The question is not whether the Bishop of Rome hath authority to call synods. He is a Bishop, a Metropolitan, a Patriarch, a prince in his own dominions. As a Bishop he may convocate his diocese, as a Metropolitan his province, as a Patriarch his Patriarchate, under the pain of ecclesiastical censure, more or less compulsory according to that degree of coactive power which hath been indulged to him in these distinct capacities by former sovereigns; and as a prince he may convocate his subjects under political pains. The more these two powers are united and complicated, the more terrible is the censure. And therefore our kings would have their Bishops denounce spiritual pains also against the violaters of their Great Charters. Spiritual pains are more

[n] [Gervas. Dorobern., Act. Pontif. Cantuar., in Willielm.; ap. Twysd., Hist. Anglic. Script. X., p. 1663.]

[o] Eadmer., [Hist. Nov.,] lib. iii. p. 58.

[p] [Id., ibid.]

[q] Eadmer., [ibid.] lib. v. p. 120. [Letter to Paschal II. as quoted in his reply.]

heavy than political (but political most commonly are more speedy than spiritual), and more certain; spiritual pains do not follow an erring Key, but political do.

Neither will I dispute at present, whether the Bishop of Rome by his reputed "primacy of order" or "beginning of unity" may lawfully call an œcumenical or occidental Council by power purely spiritual, which consists rather in advice than in mandates properly so called, or in mandates of courtesy not coactive in the exterior court of the Church. Considering the division and subdivision of the ancient empire, and the present distractions of Christendom, it seemeth not altogether inconvenient. We see the primitive Fathers did assemble synods and make canons before there were any Christian Emperors; but that was by authority merely spiritual; they had no coactive power to compel any man against his will: the uttermost they could do was to separate him from their communion, and to leave him to the Coming or Judgment of Christ;—"Let him be *Anathema Maranatha.*" 1 Cor. xvi. 22.

The true controversy then is this, whether the Bishop of Rome by his legates have coactive power in the exterior court, to convocate synods of English subjects in England, when he will, where he will, whom he will, without their consents, and without the leave of the sovereign prince or king of England. The case being thus stated determineth itself. Where should the Pope appoint a place of meeting in England without the leave of the king of England? We see by often experience, that if the Pope have a desire to summon a Council in Italy within the dominions of another sovereign prince or republic, although they be of his own communion, he must first ask leave, and obtain leave, before he can tell how to do it. Or how should he pretend to any coactive power in England, without the king's grant or leave, where the power of the militia and all coactive force is legally invested in the king?

Thus for point of right; now for matter of fact.

[In matter of fact.]

First, I do utterly deny, that any Bishop of Rome, by his own authority, did convocate any synod in the British Island during the first eleven hundred years, or preside in any by his legates, or confirm them by his authority. If he be not able to produce so much as one instance to the contrary, he

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may cry guilty to the usurpation whereof he is accused, and hold his peace for ever.

Secondly, I do confess, that after eleven hundred years the Bishops of Rome, taking advantage of our civil combustions, and prostituting the reputation of the Apostolical See to their temporal ends, did by the leave of our kings (not otherwise) sometimes call synods in England, and preside in them. The first synod held in England by any of the Pope's legates was at London in the year 1125 by Johannes Cremensis; "which moved England into no small indignation, to see a thing till then unheard of in the kingdom of England, a priest sitting president upon a high throne above Archbishops, Bishops, Abbots[r]," &c. But remember my third ground or consideration, of the difference between affirmative and negative precedents[s]. All which this proveth is, that the king did give leave or connive at that time. But it doth not prove, it cannot prove, a right to do the same at other times when the king contradicteth it.

Further we ought to take notice, that there is a great deal 318
of difference between an ordinary synod and an English Convocation. Although in truth our Convocations be synods; so called from one word in the king's writ to summon them,—"*Convocari facias.*" All the clergy of the realm were not present at an ordinary synod; but all the whole clergy of the kingdom were present at a Convocation, either in their persons or by their proctors sufficiently authorised. Secondly, the absent clergy had no such obligation to the acts of a Papal synod, as they had to the acts of a royal Convocation;—"*sub hypothecâ bonorum omnium*"—"under the caution" (or pledge) "of all their goods and estates[t]."

Lastly, to drive the nail home, and to demonstrate clearly the grossness of this Papal usurpation, it remaineth only to shew, that by the ancient laws of England the calling of Convocations or synods belonged properly to the king, not to the Bishop of Rome or his legates. And, first, by reason. By the laws of England, more ancient than the Pope's in-

[r] Gervasius Dorobernensis, [Act. Pontif. Cantuar., in Willielm.; ap. Twysden, Hist. Anglic. Script. X., p. 1663.]

[s] [See above, c. 3. pp. 391, 392.]

[t] [Form of Procuratorial Powers, with which those who represented the inferior clergy were furnished. See Collier, Ch. Hist., Pt. ii. bk. iv. vol. i. p. 234; and Wake, State of the Church, pp. 5, 6.]

trusion, no Roman legate could enter into the kingdom without the king's leave, nor continue in it longer than he had his license; as we shall see hereafter[u]: and therefore they could not convocate any synods nor do any synodical act without the king's leave. Secondly, by records of the English Convocation itself, that the Convocations of the clergy of the realm of England "are, always have been, and ought to be, assembled by the king's writ[v]." Thirdly, by the form of the writ; which hath ever been the same in all succeeding ages, constantly directed from the king to the English Archbishops for their distinct provinces. The very form speaks it English sufficiently:—"For certain difficult and urgent businesses concerning the defence and security of the English Church, and the peace, tranquillity, public good, and defence of our kingdom and subjects, We command and require you by that allegiance and love which you owe to us, that you cause to be convocated with convenient speed in due manner all and singular Bishops of your province, Deans and Priors of Cathedral Churches," &c. "and the whole clergy of your diocese and province, to meet before you," &c.[x] Another writ did always issue from the king for the dissolution: —"We command you that you dissolve or cause to be dissolved this present Convocation, this very day, in due manner, without any delay," &c.[y] Lastly, by the concurring testimonies of all our historiographers, that all the space of time of eleven hundred years, wherein the Popes did neither call Councils nor preside in them nor confirm them, and after unto the very Reformation, our kings did both call Councils, and preside in them, and confirm them, and own their laws: as I have shewed him by the laws of Ercombert, Ina, Withred, Alfred, Edward, Athelstan, Edmund, Edgar, Athelred, Canutus, and Edward the Confessor in my Vindication[z]: and particularly;—that Theodore Archbishop of Canterbury presided in a Council in the presence of John the Pope's legate; that King Edward assembled a synod and confirmed the acts of it as "*decretum regis*"—"the king's decree;" that King

[u] [See below c. 7. § 3. p. 442.]

[v] [Instrum. super Submiss. Cleri, &c.] anno 1532. [ap. Wilkins, Concil., tom. iii. p. 754.]

[x] [Brev. pro Summon. Convoc., ap. Gibson, p. 1526.]

[y] [Brev. pro Dissolv. Convoc., ap. Gibson, p. 1539.]

[z] [Just Vindic., c. iv. (vol. i. pp. 137, 138), Disc. ii. Pt. i.]

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Withred called a Council at Becancelde and presided in it, and that the decrees of the Council issued in his name and by his authority—"*Firmiter decernimus*" &c.;—in my answer to the Bishop of Chalcedon[a]. All this he pretendeth to have answered; but it is with deep silence. If he desire more precedents and more witnesses, he may have a cloud of authors upon holding up his finger, to prove undeniably, that King Henry did not innovate at all in challenging to himself the right to convocate the clergy and dissolve them and confirm their acts within his own dominions, but followed the steps of his royal predecessors in all ages, from the first planting of religion until his own days.

[Foreign precedents.]

And not only of his own ancestors but his neighbours. The precedent of Charles the Great is very conspicuous. To omit all my former allegations in this behalf[b].—In the French

[A.D.742.]

Synod;—"I Charlemain, Duke and Prince of the Franks, . . by the advice of the servants of God and my princes, have congregated the Bishops which are in my kingdom with the priests to a synod, for the fear of Christ; . . to counsel me, how the law of God and ecclesiastical religion may be recovered, which in the days of forepassed princes is dissipated and fallen to ruin," &c.; "and by the counsel of my clergy and princes we have ordained Bishops throughout the cities and constituted over them Archbishop Boniface the Pope's legate" ("*qui est missus Sancti Petri*"), "and we have decreed every year to congregate a synod, that in our presence the canonical decrees and the rights of the Church 319

[A.D.813.]

may be restored, and Christian religion reformed[c]." And in the Synod of Arles, held under the said emperor, they begin the synod with a solemn prayer for the emperor;—"The Lord of all things . . establish in the conservation of his faith our most serene and religious lord the Emperor Charles, by whose command we are here congregated[d];" and they conclude the synod with a submission to him,—"These things which we judged worthy to be amended, we have briefly noted and decreed them to be presented to our

[a] [Replic. to Bishop of Chalced., c. iv. sect. 1, above pp. 137—142.]

[b] [Just Vindic., c. vii; vol. i. p. 205.]

[c] Synodus Francica [A.D. 742.], ap. Concil. Petri Crabb., tom. ii. [p. 456; et Labb., Concil., tom. vi. p. 1534. A,B, sub tit. Concil. Germanic. I.]

[d] [Act. Concil. Arelat. (A.D. 813),] ibidem, [p. 616; et Labb., Concil., tom. vii. p. 1233. C.]

lord the emperor; beseeching his clemency, that if any thing be here wanting it may be supplied by his prudence, if any thing be amiss it may be amended by his judgement, if any thing be reasonably taxed it may be perfected by his help, through the assistance of the Divine Clemency[e]." So the Council of Tours begin their synodical acts;—"That which was enjoined us by so great a prince we accomplished in meeting at the time and place appointed," where, "being congregated," we "noted such things by chapters as needed to be amended according to the canonical rule, to be shewed to our most serene emperor[f];"—so they conclude their acts,—"These things we have ventilated in our assembly, but how our most pious prince will be pleased to dispose of them, we his faithful servants are ready at his beck and pleasure with a willing mind[g]." Lastly, the Synod called "*Synodus Cabilonensis*," in the days of the said emperor, beginneth thus,—"Our Lord Jesus Christ assisting us, and the most renowned emperor Charles commanding us," &c., "we have noted out certain chapters wherein reformation seemed necessary to us, which are hereafter inserted, to be presented to our said lord the emperor, and referred to his most sacred judgment, to be confirmed by his prudent examination of those things which we have reasonably decreed, and wherein we have been defective, to be supplied by his wisdom[h];"—so they conclude,—"We have ventilated these things in our assembly, but how it shall please our most pious prince to dispose of them, we his faithful servants with a willing mind are ready at his beck and pleasure[i]." One egg is not liker to another, than these synodical representations are to our old English customs: yet these were Catholic times, when kings convocated synods of their own subjects, and either confirmed or rejected their acts, as they thought meet for the

Discourse IV.

["*taxatum*"] [A.D.813.]

[A.D.813.]

[e] [Ibid., ap. Crabb., ibid., p. 619; et ap. Labb., ibid. pp. 1238. E, 1239. A. "taxatum," i. e. written; see Dufresne's Glossary.]

[f] [Act. Concil. Turon. III. (A.D. 813).] ibidem [p. 619; et ap. Labb., Concil., tom. vii. p. 1261. B.]

[g] [Ibid., p. 623; et ap. Labb., ibid., p. 1270. B.]

[h] [Act. Concil. Cabilon. II. (A.D. 813).] ibidem [p. 623; et ap. Labb., Concil., tom. vii. p. 1272. A,B.]

[i] [Bramhall has confused the conclusion of the Council of Tours (above quoted) with that of the Synod of Chalons (sur Saone), which immediately follows it in Crabbe's edition of the Councils. The conclusion of the latter is merely in the words, "Domini Imperatoris prudenti judicio præsentanda annotavimus." Concil. Crabb., as quoted above p. 629, and Labb., p. 1286. B.]

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public good; and did give the Pope's own legate his power of presiding in them by their constitutions, who joined with the rest in these synodical acts.

3. Oath of allegiance due to kings from clerks, not due to the Pope.

3. I proceed to the third branch of the Pope's first usurpation, concerning the tying of English prelates by oath to a new allegiance to the Pope. No man can serve two supreme masters, where there is a possibility of clashing one with another. It is true, one is but a political sovereign and the other pretendeth but a spiritual monarchy: yet if this supposed spiritual monarch shall challenge either a direct power and jurisdiction over the temporal in the exterior court (as Pope Boniface did,—"*Nos, nos, imperia, regna, principatus, et quicquid habere mortales possunt, auferre et dare posse*"—"We, even we, have power to take away and give empires, kingdoms, principalities, and whatsoever mortal men are capable of[j]"); or challenge an indirect power to dispose of all temporal things 'in order to spiritual good' (which is the opinion of Bellarmine[k] and his party); or, lastly, shall declare those things to be purely spiritual which are truly political, as the patronage of churches and all coactive power in the exterior court of the Church; in all such cases the subject must desert the one or the other, and either suffer justly as a traitor to his prince, or be subjected unjustly to the censures of the Church, and be made as a heathen or publican. This is a sad case.

But this is not all; if this poor subject shall be further persuaded, that his spiritual prince hath authority to absolve him from all sins, laws, oaths, knowing that his temporal prince doth challenge no such extravagant power, what emperor or king can have any assurance of the fidelity of his own natural subjects? It is true, a clerk may swear allegiance to his king and canonical obedience to his Bishop; but the cases are not like. No canonical obedience either is or can be inconsistent with true allegiance. The lawful canons oblige without an oath. And all that coactive power which a Bishop hath, is derived from the prince and subjected to the prince.

[j] [Platin., in Vitâ Gregor. VII. p. 169, 1.]

[k] [Bellarm., De Roman. Pontif., lib. v. c. 6, Op. tom. i. p. 1062. D.]

The question then is not, whether a pastor may enjoin his flock to abstain from an unjust oath; an oath of allegiance to a natural prince is justifiable both before God and man. Nor yet whether the clergy have immunities, or ought to enjoy immunities, such as render them more capable of serving God; it is always the first article in our Great Charter of England,—"Let the Church enjoy her immunities [l]." The question is not, whether clergymen transgressing of the canons ought to be tried by canonical judges according to the canons, especially in the first instance; for by the law of England the delinquent was always allowed the liberty to appeal to Cæsar [m]. But the question is, whether the Pope by any act or decree of his can acquit English subjects, or prohibit them, to do homage and swear allegiance to their king, according to the ancient laws of the realm, because they are clergymen; and can command them, whether the king will or not, to take a new oath never heard of or practised formerly,—an "oath of allegiance and obedience" to himself. So it is called expressly in the edition of Gregory the Thirteenth,—"*Electo in Archiepiscopum Sedes Apostolica pallium non tradet, nisi prius præstet fidelitatis et obedientiæ juramentum*"—"The Apostolical See will not deliver the pall to an Arch-Bishop elect, unless he first take an oath of fidelity and obedience [n]."

[Acts xxv. 11.]

We have seen already how Henry the First was quietly seized and possessed of the homage of his prelates and their oaths of fidelity; and his predecessors before him [o]. So we have heard Platina confessing, that before the Popedom of Paschalis the Second "the homage and feudal oaths of Bishops were performed to laymen [o];" that is, to kings, not Popes. Thus much Eadmerus [p], and Nauclerus [q], and William of Malmesbury [r], and Hoveden [s], and Jorvalensis [t] do all

[How the oath of fidelity to the Pope came in.]

[l] [Scil. in Magnâ Chartâ Johannis (A.D. 1215), et Hen. III. A.D. 1216, et ejusd. A.D. 1217, et ejusd. A.D. 1224, et ejusd. A.D. 1251, et Edw. I. A.D. 1297, et ejusd. A.D. 1300.]

[m] [See Just Vindic., c. iv. (vol. i. p. 144), Disc. ii. Pt. i.]

[n] [Greg., Decretal., lib. i. tit. vi. De Elect. et Electi Potest. c. 4. in titulo.]

[o] [Above, pp. 404, 405.]

[p] [Hist. Nov., in Præfat. p. 2.]

[q] [Chronograph., vol. ii. Gener. 37. in an. 1105: of the kings of Hungary.]

[r] [De Gest. Reg. Angl., lib. v. p. 164.]

[s] [Annal., P. prior, in Hen. I., p. 471.]

[t] [Johan. Brompton, Abbat. Jorval., Chron., in Hen. I. A. D. 1103, ap. Twysd., Hist. Angl. Script. X., pp. 999, 1000.]

PART I. assure us. This agreeth sweetly not only with the ancient law of feuds, from whence they borrowed the name of Investitures[u]; but also is confirmed by the decrees of ancient Councils, as diverse Toletan Councils[x], and that of Aquisgrane[y]; which whoso desireth to see, may find them cited at large by King James in his Apology for the Oath of Allegiance[z].

But these oaths, and homages, and regal investitures, as they were a bond of peace and unity between the king and his clergy, so they were a great eyesore to the Bishops of Rome: because they crossed their main design to make themselves the only liege lords of the ecclesiastics. As appeareth by that severe check which Adrian the Fourth gave Frederic the First, for requiring "homage" and "fealty" of Bishops, "who are Gods," and for holding "their sacred hands in his hands[a]." It stayed not here. That homage and oath of fidelity, which Gregory the Seventh and Calixtus did rob the king of, their immediate successor Paschalis the Second did assume to himself: as we find by the unanimous consent of all historiographers[b], and by the canon of Paschalis himself recorded by Gregory the Ninth; *"Significasti,"* &c.—"Thou signifiedst, that kings and the Peers of the kingdom were moved with admiration, because the pall was offered to thee by our Apocrisiaries, upon condition to take that oath which they brought thee written from us[c]," &c. The "admiration" sheweth the novelty of it. He confesseth there, that the oath was not established by the canon of any Council, but by Papal authority; and justifieth it, for fear of "further evil[d]:" that is, apostating from the obedience due to the Apostolic See. The very title doth assure us that it was "an oath of fidelity and obedience[d]." What manner

[u] Ridley's View of Civil and Eccles. [Law, c. iv. sect. 2] p. [71. ed. 1634.]

[x] [Concil. Toletan. IV. (A.D. 633) can. 2. et 75;—V. (A.D. 636) can. 7;—VI. (A.D. 638) can. 18;—X. (A.D. 656) can. 2:—ap. Labb., Concil., tom. v. pp. 1704, 1723, 1737, 1748; et tom. vi. p. 461. See also Thomassin, Vet. et Nov. Discipl., P. ii. lib. ii. c. 47. § 3—6.]

[y] [Concil. Aquisgranens. II. sub Ludov. Pio et Greg. IV. (A.D. 836), cap. ii. De Doctrin. Episc., can. 12; ap. Labb., Concil., tom. vii. p. 1709. C.]

[z] Apol. pro Juram. Fidel., pp. [53—57.]

[a] [See above p. 405. note l.]

[b] [See Sir Roger Twysden's Hist. Vindic. of the Ch. of Engl., c. iii. § 50. pp. 46, 47.]

[c] [Decret., lib. i. tit. vi.] De Elect. et Electi Potest., c. 4. ["Significasti," &c.]

[d] [Ibid.]

of assurance can sovereign princes promise themselves of those subjects, who have sworn allegiance and obedience to a foreign prince?

This form at first was modest and moderate, bounding the obedience of Arch-Bishops by "the rules of the Holy Fathers," as we find in the old Roman Pontifical; but it was quickly changed from "*Regulas Sanctorum Patrum*" to "*Regalia Sancti Petri*," as we find in the new Pontifical[e]. The change in letters was not great, but in the sense abominable. '*Semel falsus semper præsumitur falsus*;' he who is apprehended in palpable forgery, is always deservedly suspected of forgery. With what face can Mr. Serjeant tell us, that where the method of "immediate tradition" hath place, it is impossible for encroachments to gain admittance; where we see such hocus-pocus tricks played before our eyes in their Pontifical? Bellarmine[f] would persuade us, that in St. Gregory the First's time there was such an oath of obedience fully made to the Bishop of Rome. But he doth either abuse himself, or seeketh grossly to abuse us. First, the oath mentioned in St. Gregory was not an oath of obedience or allegiance, but "*promissio cujusdam Episcopi hæresim suam anathematizantis*"—"a promise of a certain Bishop anathematizing his heresy," or an oath of abjuration[g]. 323 Secondly, the oath mentioned by St. Gregory was not imposed by his authority, but taken freely by the converted Bishop, to satisfy the world and to take away all suspicion of hypocrisy—"*ne non purâ mente seu simulate reversus existimer*[h]"—dictated to his own notary by the advice of his clergy—"*notario meo, cum consensu Presbyterorum et Diaconorum atque clericorum, scribendam dictavi*[i]." It was no common case of all Bishops, neither did it comprehend any such obligation to maintain the pretended "royalties of St. Peter."

And as they extended the matter of their oath, so they did the subject; about a hundred years after, in the time

[e] [See Just Vindic., c. iv. vol. i. pp. 148, 149.]
[f] [Bellarm., De Roman. Pontif., lib. iii. c. 11. Op. tom. i. p. 876. A.]
[g] Greg. M., Epist., lib. x. Indict. 5. Ep. [31 (secund. vett. editt.—num. x. in Append., Op. tom. ii. p. 1300. ed. Bened.); cited by Bellarm., ibid.]
[h] [Greg. M., ibid.]
[i] [Id., ibid.]

PART I. of Gregory the Ninth[k]; enlarging it from Archbishops to all Prelates, Bishops, Abbots, Priors. And now what remains, but to cry up the authority of the canons above all imperial laws?—

"Cedant arma togæ, concedat laurea linguæ[l];"—

as Bellarmine doth; who denieth the superiority of princes above clergymen,— '*principes seculares respectu clericorum non sunt principes*'—"princes are no princes of clerks[m]," &c.—"political laws have no coactive obligation over clerks, but only directive[m]"—the civil laws of emperors must give place to the canons of Popes[m]. What new monster is this, to receive protection from the laws of princes and to acknowledge no subjection to the laws of princes? If princes should put Churchmen out of their protection, as Bellarmine exempts them from all "coactive obligation" to the laws of princes, they would quickly find their error. It is an honour to princes to preserve to Churchmen their old immunities; but it is a shame to Churchmen, like swine, to eat the fruit and never look up to the tree from whence it falleth.

[English laws opposed to it.] We have viewed the spoil committed evidently, when, and by whom. He whose office it was to preserve all others from spoil, could not preserve himself. It is a rule in law, '*Ante omnia spoliatus restitui debet*'—'Before all other things he that is spoiled ought to be restored to his right;' and our old English laws are diametrally opposite to these new Papal usurpations, in all the parts of them.

First, though the kings and kingdom of England were always careful to preserve the privileges of Holy Church—(in all our Great Charters that was the first thing was taken care for[n]),—yet not as due by Divine law, and much less by the laws of the Pope (which they never regarded), but as graces and privileges granted by the kings of England; and therefore they excluded from benefit of clergy such sort of delinquents as they thought fit; as "*proditores*"—"traitors" against the person of the king[o], "*insidiatores viarum*"—

[k] [Decretal., lib. ii. tit. xxiv.] De jure-jurando, c. 4. [See Twysden, Histor. Vindic., c. iii. § 51. pp. 47, 48.]

[l] [Incertus auctor, ap. Cic., De Offic. i. 22.]

[m] Bellarm., Lib. de Cleric., c. 28. [Op. tom. i. p. 1491. C. ("Non sunt amplius reges clericorum superiores"), et p. 1489. B.]

[n] [See above, p. 417. note l.]

[o] 25 Edw. III. [Stat. 3.] c. 4.

"such as lay in wait" to do mischief "upon the high ways[p]" — "*depopulatores agrorum*" — "such as depopulated the land[q]." And the most severe laws that ever they made, are the statutes of Præmunire[r] and Provisors[s], against Churchmen, for siding with the Bishop of Rome in his usurpations, even to the forfeiture of their goods and lands, their loss of their liberty, and the putting them out of the king's protection.

Secondly, our laws do acknowledge every where, that homage and allegiance is always due to the king from all clergymen whatsoever. Edward the First "enjoined all the prelates upon their faith" (or allegiance) "which they owed him[t]." They know no fidelity or allegiance which is due to the Pope from any Englishman either clergyman or layman; but the just contrary,—that they are bound by their allegiance to fight for the king against the Pope, for the redress of these and such like usurpations. In the fourteenth year of Richard the Second, all the spiritual lords did answer unanimously, that if any Bishop of England were excommunicated by the Pope for having executed the sentences and commandments of the king, "the same is against the king and his Crown," and "they will and ought to be with the king in these cases lawfully, and in all other cases touching his Crown and his regality, as they be bound in their allegiance[u]." Our laws know no oath of allegiance or fealty due to any person but the king; they make the king to be "advowee paramount, supreme lord and patron, guardian, protector, and champion" of the Church of England[x].

Lastly, these Papal oaths do necessarily suppose a voyage to Rome; either to take the oath there, or if the oath was sent them into England, one clause in the oath was, that they should come to Rome in person to receive the Pope's commands within a prefixed time. But this is directly contrary to the laws of England, which allow no subject, clergyman or other, to go to Rome without the king's leave. Thus much both the prelates and Peers of the realm told Anselm,

[p] [4] Hen. IV. c. 2.
[q] [Ibid.]
[r] [25 Edw. III. Stat. 6.]
[s] [16 Rich. II. c. 5.]
[t] 3 Edw. I. c. 2.
[u] 16 Rich. II. c. [5.]
[x] 25 Edw. III. [Stat. 6. § 3; &c.: see above, p. 409.]

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when he had a mind to visit the Pope[y]. Thus much we find attested by the general assembly of the kingdom in the Statute or Assise of Clarendon, where one of the customs or laws of the kingdom is, that "no ecclesiastical person might depart out of the kingdom without the king's license[z];" no, not though he were expressly summoned by the Bishop of Rome. And at a Parliament held at Northampton in the reign of Henry the Third, it was enacted, that "if any persons departed out of the kingdom, unless they would return within a prefixed time, and answer it in the court of our lord the king, let them be outlawed[a]." This was the unanimous complaint of the whole kingdom to the Pope, that "the English were drawn out of the realm by his authority, contrary to the customs of the kingdom[b]." No clergyman may go to Rome "without the king's license," say the ancient laws of the realm; every English prelate shall come to Rome upon my command, saith the Pope: what Oedipus can reconcile the English laws and Papal mandates? Commonly good laws proceed from evil manners, and abuses do ordinarily precede their remedies; but by the providence of our ancestors our English "remedies[c]" were pre-existent before their usurpations. '*Non remittitur peccatum nisi restituatur ablatum;*'—until they restore those rights whereof they have robbed the king and kingdom, we may pardon them, but they can hope for no forgiveness from God. I will conclude this point with an ancient fundamental law in the Britannic Island;—"*Si quis cum alio societatem coierit, fidem et obsequium adversus quemlibet professus, capite punitor*"—"If any subject enter into a league with another" (prince), "professing fidelity and obedience to any one" (besides the king), 'let him lose his head[d].' 324

4. Tenths and first-fruits usurped by the Pope.

4. I come now to the last branch of the first Papal usurpation, tenths and first-fruits.

If Christ be still crucified between two thieves, it is between an old overgrown officer of the Roman Court, and a sacrilegious precisian. The one is so much for the splendour of

[y] [Eadmer., Hist. Nov. lib. ii. p. 39.]

[z] Matt. Paris., anno 1164. [p. 100.] —Hoveden, [Annal., P. poster., in Hen. II., pp. 493, 499, 506.]

[a] [There are two laws of Rich. II. to this effect, but none of Henry III. See Twysd., Hist. Vindic., c. iii. § 38. p. 36.]

[b] Matt. Paris. anno [1246. p. 698.]

[c] [25 Edw. III. Stat. 6. § 2.]

[d] Hector. Boeth., Hist. [Scot., lib. xii., inter legg. Maccabæi; quoted from memory.]

religion, and the other for the purity of religion, that between them they destroy religion. Their faces, like Sampson's foxes, look contrary ways, but both of them have fire-brands at their tails; both of them prate of Heaven altogether, both of them have their hearts nailed to the earth. On the one side, if it had not been for the avaricious practices of the Roman Court, the Papacy might have been a great advantage to the Christian world in point of order and unity; at least it had not been so intolerable a burden; it is feared these will not suffer an Eugenius, an Adrian, or an Alexander, to be both honest and long-lived. On the other side, these counterfeit zealots do but renew the policy of the two old Sicilian gluttons, to blow their noses in the dishes, that they might devour the meat alone; that is, cry down Church revenues as superstitious and dangerous, because they gape after them themselves. If it were not for these two factions, we might hope to see a reconciliation. Self-interest and self-profit are both the procreating and conserving cause of disunion.

[Judg. xv. 4.]

Who would imagine, that the large patrimony of St. Peter should not content or suffice an old Bishop abundantly, without preying upon the poor clergy for tenths and first-fruits, and God knows how many other ways? The revenues of that see were infinite, yet the Bishops often complained of want. God's blessing did not go along with these ravenous courses. So Pharaoh's lean kine devoured the fat, yet were nothing the fatter themselves. The first tenth which the Pope had from the English clergy was only a single tenth of their moveable goods, not by way of imposition, but as a benevolence, or free gift out of courtesy[e]. But the Roman Bishops, having once tasted the sweet, meant not to give over so:—

[Gen. xli. 20, 21.]

A. D. 1229.

"Non missura cutem nisi plena cruoris hirudo[f]."

The next step was to impose tenths upon the clergy, not in perpetuity or as a certain revenue due to the Papacy, but for a fixed number of years, as a stock for the defence of Christendom against the incursions of the Turk[g]. About

[e] Matt. Paris., an. 1229. [pp. 361, 362: of Gregory IX.]

[f] [Horat. A. P. 476.]

[g] [See Thomassin, Vet. et Nov. Disciplin., P. iii. lib. i. c. 43. § 4—10: and for England, Twysden, Histor. Vindic., c. iv. § 13, 14. pp. 83, 84.]

PART I. the same time first-fruits began to be exacted, not generally, but only of the Pope's own clerks[h], as a gratuity, or, in plain English, as a handsome cloak of simony. But he that perfected the work, and made both tenths and first-fruits a certain annual revenue to the See of Rome, was Boniface the Ninth, or John the Two-and-twentieth his successor; so saith Platina[i], and with him almost all other writers[k] do 325 agree. This Boniface lived about the year 1400; whom Turselline maketh to have been the "restorer of Papal majesty," whose "prudence did transcend his age, for he was but thirty years old[l]." He was the usurper, that took away from the Romans the free choice of their magistrates[m]. John the Two-and-twentieth lived in the time of the Council of Constance, something above the fourteen-hundredth year. It was he that called the Council[n]; and was himself deposed by the Council for grievous crimes[o]; and the payment of first-fruits abolished. For neither the payment of tenths nor first-fruits did agree with the palate of the Councils of Constance and Basle, notwithstanding their gilded pretences. The Council of Constance decreed, that "it was not lawful for the Bishop of Rome to impose any indictions or exactions upon the Church, or upon ecclesiastical persons, in the nature of a tenth or any other way[p]:" which decree was passed in the nineteenth session, though it be related afterward.

[A.D.1418] According to this decree, Pope Martin issued out his mandate,—"We command that the laws, which prohibit tenths and other burdens to be imposed by the Pope upon Churches and ecclesiastical persons, be observed more strictly[q]." And the Council of Basle commandeth, that "as well in the Roman Court as elsewhere," &c., "nothing be exacted for tenths or first-fruits[r]," &c.

But for all this the Popes could not hold their hands. Leo

[h] [See Twysden, Histor. Vindic., c. iv. § 15, 16. pp. 84, 85.]
[i] Platin., in Vitâ Bonifacii Noni, [p. 259, 2.]
[k] [See Twysd., Hist. Vindic., c. iv. pp. 85, 86.]
[l] Tursell., in Vitâ Vincislai; [Hist. Epitome, lib. ix. c. 8. § 57.]
[m] [Platin., in V. Bonif. IX. p. 257, 2.]
[n] [Concil. Constant. Sess. i. ap. Labb., Concil., tom. xii. pp. 11, &c.]
[o] [Ibid.,] Sess. xii. [ap. eund., pp. 95, 96.]
[p] Concil. Constant. [ap. Concil. tom. ii.] edit. Petri Crabb., p. 1182. [et ap. Labb., Concil., tom. xii. 170. C. 284. D.]
[q] [In ejusd. Concil. Sess. xliii. ap. Crabb.,] ibid. p. 1164. [et Labb., ibid. p. 255. D.]
[r] Concil. Basil. Sess. xxi. [can. 1. ap. Labb., Concil., tom. xii. p. 552. B—D.]

the Tenth made a new "imposition for three years"—"*ad triennium proxime futurum*[s]," for the old ends. And it should seem that their mind was, that thenceforward as the cause lasted, so should the imposition. But the German nation were not of the same mind, who made this their nineteenth grievance;—"Forasmuch as concerneth tenths, which ecclesiastical prelates paid yearly to the Pope, which the German Princes some years since did consent unto, that they should be paid to the See of Rome for a certain time, upon condition that this money should be deposited at Rome as a stock for defence against the Turk, and no otherwise; but the time is effluxed since, and the Princes have learned by experience, that the moneys have not been employed against the Turks, but converted to other uses[t]," &c. The Emperor Charles the Fifth was not of the same mind; as appeareth by his letter to Pope Adrian the Sixth, wherein he reciteth the same fraud, and requireth that "the tenths may be detained in Germany," for that use for which they were first intended[u]. Lastly, Henry the Eighth and the Church and kingdom of England were not of that mind, nor intended to endure such an egregious cheat any longer, so extremely contrary to the fundamental laws of the kingdom, and destructive to them: by which laws the king himself (who only hath legislative power in England) may not compel his subjects to pay any such pensions "without the good will and assent of the Archbishops, Bishops, Earls, Barons, Knights, Burgesses, and other freemen of the land[x]." Much less can a foreign prince or prelate, whatsoever he be, impose any such payments by his own authority. This is that which is so often condemned in our statutes of Provisors, namely, the imposing pensions and exporting the treasure of the realm. The court of Rome is so far from any pretence of reparation, that if their predecessors were living, they were obliged to make restitution.

DISCOURSE IV. [A.D.1522] A. D. 1522.

These are all the differences that are between us, concerning the patronage of the Church of England.

[s] Concil. Lateran. [V.], sub Leone X. [A.D. 1510] Sess. xii. [ap. Labb., ibid. tom. xiv. p. 355. B.]

[t] Centum Gravam., c. 19. [ap. Goldast., Constitut. Imperial., P. ii. p. 43.]

[u] [Epist. Carol. V. ad Adrian. VI. § 3.] an. 1522. ap. Goldast., [ibid. p. 24.]

[x] 24 Edw. [14 Edw. III. Stat. 2.] c. 1.

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[English laws paralleled by those of France.]

Yet now, lest he should urge that these laws alleged by me are singular obsolete laws, not consonant to the laws of other Christian kingdoms, I will parallel them with the laws and liberties of France, which he himself acknowledgeth to be a Catholic country; as they are recorded in two authentic books, one "Of the Rights and Liberties of the Gallican Church," the other, "The Defence of the Court of Paris for the Liberty of the Gallican Church against the Roman Court," both printed by authority[y].

First for the patronage of the Church.

The fourth liberty is, "The king hath power . . to assemble or cause to be assembled synods provincial or national, and therein to treat . . of such things as concern ecclesiastical order."

The seventh liberty is, "The prelates of the French Church, although commanded by the Pope, for what cause soever it be, may not depart out of the kingdom without the king's commandment and licence."

The eleventh liberty is, "The Pope cannot impose pensions in France upon any benefices having cure of souls, nor upon any other but according to the canons," &c.

The fourteenth liberty is, 'Ecclesiastical persons may be convented, judged, and sentenced before a secular judge for the first enormous crime, or for lesser offences after a relapse.'

The fifteenth liberty is, 'All the prelates of France are 326
obliged to swear fealty to the king, and to receive from him their investitures for their fees and manors.'

The nineteenth liberty is, "Provisions, reservations, expectative graces, have no place in France."

This is the brief sum of those liberties which concern the patronage of the Gallican Church, agreeing perfectly with our old English customs. I shall shew him the same perfect harmony between their Church liberties and our English customs, the Assise of Clarendon, the Statutes of Provisors and Præmunire, throughout. Either Mr. Serjeant must make the Gallican Church schismatical, which he dare not do, and

[y] "Traictéz des Droits et Libertéz de l'Eglise Gallicane," et, "Pro Libertate Ecclesiæ Gallicanæ adversus Romanam Aulam Defensio Parisiensis Curiæ." [See Just Vindic., c. vii. (vol. i. pp. 225, &c.), Disc. ii. Pt. i.]

if I conjecture rightly, hath no mind to do; or he must acknowledge our English laws to be good Catholic laws, for company.

CHAPTER THE SIXTH.

II. The Pope hath no *legislative* power in England. [1. We receive the ancient canons.]

The next usurpation which offereth itself to our consideration, is the Pope's *legislative* power over the Church and kingdom of England, either in his person or by his legates.

For the clearer understanding whereof, the reader in the first place may be pleased to take notice, that we receive the ancient canons of the Catholic Church, and honour them more than the Romanists themselves; as being selected out of the canons of primitive Councils, before the Roman Bishops did challenge any plenitude of legislative power in the Church, and especially of the first four general Councils, of which King James said most truly that "*publicâ ordinum nostrorum sanctione recepta sunt*"—"they are received into our laws[z]." We acknowledge, that just canons of Councils lawfully congregated and lawfully proceeding have power to bind the conscience of subjects as much as political laws, *in* themselves, not *from* themselves, as being human laws[a], but from the ordinance of God, who commandeth obedience of subjects to all sorts of superiors. We receive the canons of other primitive Councils, but not with the same degree of reverence as we do the first four general Councils. No more did St. Gregory of old[b]; no more doth the Pope now in his solemn profession of his Faith, at his election to the Papacy, according to the decree of the Council of Constance[c]. That which restrained them, restraineth us. I am more troubled to think, how the Pope should take himself to be an ecclesiastical monarch, and yet take such a solemn oath "In the Name of the Holy and Undivided Trinity, Father, Son, and Holy Ghost, to keep the Faith of the Council of Chalcedon

[z] Omnib. Christian. Monarch., [scil. Præfat. ad Apolog. pro Juram. Fidel.] p. [38].—[See also] 1 Eliz. c. 1. [§ 36.]

[a] [See Answ. to La Millet. (vol. i. pp. 61, 62), Disc. i. Pt. i.]

[b] [Greg. M., Epist. lib. i. Ep. 25. (Op. tom. ii. p. 515. B.), lib. iii. Ep. 10. (ibid. p. 632. E.)]

[c] Concil. Constant. [A. D. 1415.] Sess. xxxix. [ap. Labb., Concil., tom. xii. p. 241. D.]

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to the least tittle[d]." What the Faith of the Fathers of Chalcedon was in this great controversy about the Papacy, may appear by the sixteenth Session[e]; and the acclamation of the Fathers to the sentence of the Judges, "*Hæc justa sententia, hæc omnes dicimus, hæc omnibus placent,*" &c.—"This is a just sentence, these things we all say, these things please us all," &c.[f]

[2. We acknowledge that Bishops are the proper judges of the canons.]

Secondly, we acknowledge, that Bishops were always esteemed the proper judges of the canons, both for composing of them and for executing of them: but with this caution, that to make them laws the confirmation of the prince was required; and to give the Bishop a coactive power to execute them, the prince's grant or concession was needful. The former part of this caution is evident in Justinian's confirmation of the fifth general Synod;—"*Hæc pro communi pace Ecclesiarum Sanctissimarum statuimus, hæc sententiavimus, sequentes Sanctorum Patrum dogmata,*" &c.—"These things we ordain, these things we have sentenced, following the opinion of the Holy Fathers," &c.—"*Quæ sacerdotio visa sunt et ab imperio confirmata*"—"Which were approved by the clergy, and confirmed by the emperor[g]." The second part of the caution is evident out of the laws of William the Conqueror; —"*Qui decimam detinuerit, per justitiam Episcopi, et regis si necesse fuerit, ad solutionem arguatur,*" &c.—"Who shall detain his tithe, let him be convinced to pay it by the justice of the Bishop, and if it be needful of the king; for these things St. Austin preached and taught, and these things" (that is, "both tithes and jurisdiction") "were granted from the king, the barons, and the people[h]." So hitherto there is no difference between us; they acknowledge, that the king is the keeper of both the Tables; and we say, that for the first Table the Bishops ought to be his interpreters.

[3. We submit the question of the Pope's "beginning

Thirdly, as we question not the Pope's legislative or coactive power over his own subjects, so we submit to the judgment of the Catholic Church, whether he ought to have a 327

[d] [See the Decretal., P. i. Distinct. xvi. c. 8; and the Lib. Diurn. Rom. Pontif. c. ii. tit. 9.]

[e] [Concil. Chalced. (A.D. 451) Act. xvi., ap. Labb., Concil., tom. iv. p. 818. B, C.]

[f] [Ibid., C.]

[g] Constit. Justinian. cont. Anthimum, &c. in Synod. V. [Act. i.; scil. Concil. Constantinop. sub Menna (A. D. 536), ap. Crabb., Concil., tom. ii. p. 63; et Labb., Concil., tom. v. p. 270. B, C.]

[h] Hoveden, [Annal., P. poster., in Hen. II. p. 602.]

'primacy of order' as the successor of St. Peter; and, as a consequent thereof, a right (if he would content himself with it) to summon Councils, when and where there are no Christian sovereigns to do it; and to join with other Bishops in making spiritual laws or canons, such as the Apostles made, and such as the primitive Bishops made before there were Christian emperors. But then those canons are the laws of the Church, not of the Pope; as those canons in the Acts of the Apostles were the laws of the Apostolical College,—"The Apostles and Elders and Brethren,"—not the laws of St. Peter. Then their laws have no coactive obligation to compel Christians in the outward court of the Church against their wills, or further than they are pleased to submit themselves. All exterior coactive power is from the sovereign prince; and therefore, when and where emperors and kings are Christians, to them it properly belongeth to summon Councils, and to confirm their canons, thereby making them become laws: because sovereign princes only have power to license and command their subjects to assemble, to assign fit places for their assembling, to protect them in their assemblies, and to give a coactive power to their laws; without which, they may do their best to drive away wolves and to oppose heretics, but it must be with such arms as Christ had furnished them withal, that is, persuasions, prayers, tears, and, at the most, separating them from the communion of the faithful, and leaving them to the judgment of Christ.

Discourse IV. "of unity" to the judgment of the Catholic Church.]

Acts xv. 25.

The controversy is then about new upstart Papal laws: either made at Rome (such are the Decretals of Gregory the Ninth, Boniface the Eighth, Clement the Fifth, and succeeding Popes); or made in England by Papal legates, as Otho and Othobone:—whether the Pope or his legates have power to make any such laws to bind English subjects, and compel them to obey them against their wills, the king of England contradicting it. The first time that ever any canon of the Bishop of Rome, or any legislative legate of his, was attempted to be obtruded upon the king or Church of England, was eleven hundred years after Christ; the first law was the law against taking investitures to Bishoprics from a lay-hand; and the first legate that ever presided in an English synod was Johannes Cremensis: of both which I have spoken

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formerly[1]. Observe, reader, and be astonished (if thou hast so much faith to believe it), that the Pope should pretend to a legislative power over British and English subjects by Divine right, and yet never offer to put it in execution for above eleven hundred years.

It remaineth now to prove evidently, that Henry the Eighth, by his statute made for that purpose, did not take away from the Bishop of Rome any privilege which he and his predecessors had held by inheritance from St. Peter, and been peaceably possessed of for fifteen hundred years; but, on the contrary, that eleven hundred years after St. Peter was dead, the Bishops of Rome did first invade the right of the Crown of England to make laws for the external regiment of the Church, which the predecessors of Henry the Eighth had enjoyed peaceably until the days of William Rufus, "*nemine contradicente:*" and that the king's laws were evermore acknowledged to be true laws and obligatory to the English subjects; but that the Pope's decrees were never esteemed to be binding laws in England, except they were incorporated into our laws by the king and Church or kingdom of England. Whence it followeth by irrefragable consequence, that Henry the Eighth was not the schismatic in this particular; but the Pope, and those that maintain him, or adhere to him, in his usurpations.

[1. The legislative power in England has always belonged to the king.]

First, for the king's right to make laws, not only concerning the outward regiment of the Church, but even concerning the keys of order and jurisdiction, so far as to oblige them who are trusted with that power by the Church to do their duties, it is so evident to every one who hath but cast his eyes upon our English laws, that to bestow labour on proving it were to bring owls to Athens. Their laws are extant, made in all ages, concerning Faith and good manners, heresy, Holy Orders, the Word, the Sacraments, Bishops, Priests, monks, the privileges and revenues of Holy Church, marriages, divorces, simony, the Pope, his sentences, his oppressions and usurpations, prohibitions, appeals from ecclesiastical judges, and generally all things which are of ecclesiastical cognizance; and this in those times which are 328 acknowledged by the Romanists themselves to have been

[1] [Above, c. 5. pp. 404, 412.]

Catholic. More than this, they inhibited the Pope's own legate "to attempt to decree any thing contrary to the king's Crown and dignity[k];" and if they approved the decrees of the Pope's legates, they "confirmed them by their royal authority[l]," and so incorporated them into the body of the English laws.

[2. Papal decrees as such have never been received as laws in England.]

2. Secondly, that the Pope's decrees never had the force of laws in England without the confirmation of the king, witness the decrees of the Council of Lateran as they are commonly called;—but it is as clear as the day to any one who readeth the eleventh, the six and fortieth, and the one and sixtieth chapters, that they were not made by the Council of Lateran, but some time after; perhaps not by Innocent the Third, but by some succeeding Pope: for the author of them doth distinguish himself expressly from the Council of Lateran,—"It was well provided in the Council of Lateran," &c., "but because that statute is not observed in many Churches, we confirming the foresaid statute do add[m]," &c.; again, "It is known to have been prohibited in the Council of Lateran," &c., "but we inhibiting the same more strongly[n]," &c.—howsoever, they were the Pope's decrees, but never were received as laws in England; as we see evidently by the third chapter;—that "the goods of clergymen being convicted of heresy be forfeited to the Church;" that "all officers secular and ecclesiastical should take an oath at their admission into their office to their power to purge their territories from heresy;" that "if a temporal lord did neglect, being admonished by the Church, to purge his lands from heresy, he should be excommunicated," and "if he contemned to satisfy within a year, the Pope should absolve his subjects from their allegiance[o];"—and by the three and fortieth chapter,—that "no ecclesiastical person be compelled to swear allegiance to a layman[p];"—and by the six and fortieth chapter,—that "ecclesiastical persons be free from taxes[q]." We never had any such laws; all goods forfeited in that kind were ever confiscated to the king. We never

[k] Matt. Paris., an. 1237. [p. 447.]
[l] Florent. Wigorn., [Chron.,] an. 1127. [p. 505. ed. Lond. 1592.]
[m] [Canon. Concil. Lateran. IV. A.D. 1215. can. 11; ap. Labb., Concil., tom. xi. P. i. p. 164. A, B.]
[n] [Ibid., can. 29. ap. eund. p. 179. D, E.]
[o] [Ibid., c. 3; p. 147. C—E.]
[p] [Ibid., c. 43; p. 191. E.]
[q] [Ibid., c. 46; pp. 194. E, 195. A—C.]

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A second liberty of England is to reject the Pope's laws in plain terms. The Pope made a law for "the legitimation of children born afore matrimony, as well as those born in matrimony." The Bishops moved the lords in Parliament, that "they would give their consent" to the common order of "the Church;" but "all the Earls and Barons answered with one voice, that they would not change the laws of the realm, which hitherto had been used and approved[r]." The Pope's legislation could not make a law in England without the concurrence of the three orders of the kingdom; and they liked their own old laws better than the Pope's new law.

A third liberty of England is to give a legislative interpretation to the Pope's laws which the Pope never intended. The Bishop of Rome, by a constitution made at the Council of Lyons, "excluded bigamists" (men twice married) "from the privilege of clergy[s]," that is, that should marry the second time *de futuro;* but the Parliament made an Act, that the constitution should be understood on this wise, that "whether they were bigamists before the constitution or after, they should not be delivered to the prelates, but justice should be executed upon them as upon other lay-people[t]." '*Ejus est legem interpretari cujus est condere;*' they that can give a law a new sense, may abrogate it if they please.

A fourth liberty of England is to call the Pope's laws "usurpations—encroachments—mischiefs—contrary to, and destructive of, the municipal laws of the realm—derogatory to the king's regality;" and to punish such of their subjects as should pursue them, and obey them, with "imprisonment," with "confiscation of their goods and lands," with "outlawing" them, and "putting them out of the king's protection." Witness all those noble laws of Provisors and Præmunire,

[r] 20 Hen. III. c. 9.

[s] [Concil. Lugdunens. (A.D. 1274.) can. 16; ap. Labb., tom. xi. P. i. p. 984. B, C.]

[t] [4 Edw. I. Stat. 3. c. 5.]

which we may truly call the Palladium of England, which preserved it from being swallowed up in that vast gulf of the Roman Court; made by Edward the First, Edward the Third, Richard the Second, and Henry the Fourth[u]. All those collations, and reservations, and provisions, and privileges, and sentences, which are condemned in those statutes, were all grounded upon the Pope's laws, and Bulls, and decrees, which our ancestors entertained as they deserved.

329 Othobone, the Pope's legate in England, by the command of Urban the Fifth, made a constitution for the endowment of vicars in appropriations, but it prevailed not; whereas our kings by two Acts of Parliament did easily effect it[x]. No ecclesiastical act is impossible to them who have a legislative power; but many ecclesiastical acts were beyond the sphere of the Pope's activity in England. The king could make a spiritual corporation, but the Pope could not. The king could exempt from the jurisdiction of the ordinary, but the Pope could not[y]. The king could convert seculars into regulars, but the Pope could not. The king could grant the privilege of the Cistercians, but the Pope could not[z]. The king could appropriate churches, but the Pope could not[a]. Our laws never acknowledged the Pope's "plenitude of ecclesiastical power," which was the ground of his legislation. Euphemius objected to Gelasius, that the Bishops of Rome alone could not condemn Acatius—"*ab uno non potuisset damnari.*" Gelasius answered, that he was condemned by the Council of Chalcedon, and that his predecessor was but "the executor of an old law, and not the author of a new[b]." This was all the ancient Bishops of Rome did challenge,—to be "executors" of ecclesiastical laws, and not single lawmakers. I acknowledge, that in his Epistle to the Bishops of Dardania[c] he attributeth much to the Bishops of Rome with a Council; but it is not in making new laws or canons,

[u] 25 Edw. I. [i. e. the Statute of Carlisle.]—27 Edw. III. [Stat. 1. c. 1.]—[16 Rich. II. c. 5.]—2 Hen. IV. cc. 3 et 4.—7 Hen. IV. c. 6.

[x] 15 Rich. II. c. 6.—4 Hen. IV. c. 12. [See Just Vindic., c. iv. (vol. i. p. 139), Disc. ii. Pt. i.]

[y] 2 Hen. IV. c. 3. [See Just Vindic., ibid.]

[z] 2 Hen. IV. c. 4. [See Just Vindic., ibid.]

[a] [See Just Vindic., ibid. note c.]

[b] Gelas., Epist. ad Faustum [ap. Labb., Concil., tom. iv. pp. 1168. E. 1169. A. See Just Vindic., c. ix. vol, i. p. 261. note s.]

[c] [Id., ap. Labb., ibid. p. 1167.]

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but in executing old, as in the case of Athanasius and Chrysostom[d]. "The privileges" of the Abbey of St. Austin in England, granted by the Popes, were "condemned" as "null" or of no validity, because they were "not ratified by the king, and approved by the Peers[e]." William the Conqueror "would not suffer any man within his dominions to receive the Pope for Apostolical Bishop, but by his command; nor to receive his letters by any means, unless they were first shewed to him[f]." It is likely this was in a time of schism, when there were more Popes than one; but it sheweth how the king did interest himself in the affairs of the Papacy, that it should have no further influence upon his subjects than he thought fit. He, who "would not suffer any man to receive the Pope's letters" without his leave, would much less suffer them to receive the Pope's laws without leave. And in his prescript to Remigius Bishop of Lincoln,—"Know ye, all Earls and Viscounts, that I have judged, that the Episcopal" (or ecclesiastical) "laws, which have been of force until my time in the kingdom of England, being not well constituted according to the precepts of the holy canons, should be amended in the common assembly, and with the Council of my Archbishops, and the rest of the Bishops and Abbots, and all the princes of my kingdom[g]." He needed not the help of any foreign legislation for amending ecclesiastical canons, and the external regiment of the Church.

[The English liberties the same as the Gallican in this point also.]

Now let us see, whether the liberties of France be the same with our English privileges.

The second liberty is this, "The spiritual authority and power of the Pope is not absolute in France" (if it be not absolute, then it is not singly legislative), "but limited and restrained by the canons and ancient Councils of the Church[h]." If it be "limited by ancient canons," then it hath no power to abrogate ancient canons by new canons.

[d] [Viz. in the interference of Pope Julius and a Roman Council in behalf of S. Athanasius, and of Innocent I. in behalf of S. Chrysostom. See Fleury, Hist. Eccl., liv. xii. § 20—24. xxi. § 58, 59.]

[e] Eadmer., [Hist. Nov.,] lib. iv. p. 92.

[f] Eadmer., [ibid.,] lib. i. p. 6.

[g] [Ap. Wilkins, Legg. Angl. Sax., &c., pp. 230, 231. edit. of 1721; et Spelm., Concil., tom. ii. p. 14.]

[h] [See Just Vindic., c. vii. vol. i. p. 225. § 2.]

Their ancient canons are their ecclesiastical laws, as well as ours; and those must be "received into that kingdom[i]." They may be excellent advisers without reception, but they are no laws without public reception; canons are no canons, either in England, or in France, further than they are received. Discourse IV.

The third liberty is, "No command whatsoever of the Pope" (Papal decrees are his chief commands) "can free the French clergy from their obligation to obey the commands of their sovereign[k]." But if Papal power could abrogate the ancient laws of France, it did free their clergy from their obedience to their sovereign prince.

The sixteenth liberty is, "The Courts of Parliament have power to declare null and void the Pope's Bulls . . when they are found contrary to the liberties of the French Church, or the prerogative royal[l]."

The twentieth liberty, "The Pope cannot exempt any Church, monastery, or ecclesiastical body, from the jurisdiction of their ordinary, nor erect Bishoprics into Archbishoprics, nor unite them, nor divide them, without the king's license[m]."

England and France as touching their liberties walk hand in hand.

To conclude, the Pope's legislative power in England was a gross usurpation, and was suppressed before it was well formed. But they are afraid of the old rule,—'Break ice in one place, and it will crack in more.' If they did confess one error, they should be suspected of many; if their infallibility was lost, all were gone. And therefore they resolve to bear it out with head and shoulders; and in place of disclaiming a single power to make ecclesiastical laws, and to give them a coactive obligation in exterior courts, they challenge a power to the Pope (some say ordinarily, others extraordinarily; some say directly, others indirectly[n]) to make and abrogate political laws throughout Christendom, against the will of sovereign princes. They who seem most moderate and cautelous among them, are bad enough, and [The Pope's legislative power in England suppressed before it was well formed.]

[i] [Ibid.]
[k] [Ibid. § 3.]
[l] [Ibid., p. 227. § 16.]
[m] [Ibid., p. 228. § 20.]
[n] [See Bellarm., De Roman. Pontif., lib. v. c. 1; Op. tom. i. pp. 1052, 1053.]

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deserve right well to have their works inserted into the Rebels' Catechism[o].—"If a civil law be hurtful to the souls of subjects, and the prince will not abrogate it; if another civil law be healthful to the souls of the subjects, and the temporal prince will not enact it;" the Pope, as a "spiritual prince," may "abrogate the one, and establish the other:" for "civil power is inferior, and consequently subject, to spiritual power[p]:"—and, "The ecclesiastic republic ought to be perfect and sufficient to attain its end;" but "the power to dispose of things temporal is necessary to attain spiritual ends[q]:"—and, "It is not lawful to choose an infidel or heretical prince;" but "it is the same danger or damage to choose one who is no Christian, and to tolerate one who is no Christian;" and "the determination of the question, whether he be fit to be tolerated or not, belongs to the Pope[r]." In good time. From these premisses, we may well expect a necessary conclusion. Who ever see such a rope of sand, so incoherent to itself, and consisting of such heterogeneous parts, composed altogether of mistakes! Surely a man may conclude that either "*nocte pinxit*"—the learned author painted this cypress tree "in the night," or he hath a pitiful penurious cause, that will afford no better proofs. But I hope the quarrel is dead or dying; and with it, much of that animosity, which it helped to raise in the world. At least I must do my adversaries in this cause that right; I find them not guilty of it. Let it die, and the memory of it be extinguished for ever and ever.

CHAPTER THE SEVENTH.

III. The Pope hath no *judiciary* power in England.

So I pass over from the Pope's legislative power to his *judiciary* power. Perhaps the reader may expect to find something here of that great controversy between Protestants and Papists, whether the Pope be the last, the highest, the infallible judge of controversies of Faith, with a Council

[o] [In allusion to Heylin's tract under this title.]

[p] Bellarm., De Roman. Pontif., lib. v. c. 6. [Op. tom. i. p. 1064. B. et C. 7. ibid. p. 1065. A.]

[q] [Id., ibid., c. 7. p. 1066. A,B.]

[r] [Id., ibid., p. 1067. A,B. "Non licet *tolerare* regem infidelem aut hæreticum," &c.]

or without a Council. For my part, I do not find them so well agreed at home, who this judge is. All say, it is the Church; but in determining what Church it is, they differ as much as they and we. Some say it is the 'essential' Church, by reception; whatsoever the universal Church receiveth is infallibly true. Others say, it is the 'representative' Church, that is, a general Council. Others say, it is the 'virtual' Church, that is, the Pope. Others say, it is the 'virtual' Church and the 'representative' Church together, that is, the Pope with a general Council. Lastly, others say, it is the Pope with any Council, either general, or patriarchal, or provincial; or (I think) his College of Cardinals may serve the turn[s].

And concerning his infallibility, all men confess, that the Pope may err in his judgment and in his tenets, as he is a private doctor, but not in his definitions. Secondly, the most men do acknowledge, that he may err in his definitions, if he define alone without some Council, either general or particular. Thirdly, others go yet higher, that the Pope as Pope, with a particular Council, may define erroneously or heretically, but not with a general Council. Lastly, many of them which go along with others for the Pope's infallibility, do it upon a condition, "*Si maturus procedat, et consilium audiat aliorum pastorum*"—"If he proceed maturely, and hear the counsel of other pastors[t]." Indeed Bellarmine saith, that if any man should demand, "whether the Pope might err if he defined rashly, without doubt they would all answer, that the Pope could not define rashly[u]." But this is mere presumption without any colour of proof. I appeal to every rational man, of what communion soever he be, whether he who saith, "The Pope cannot err if he proceed maturely upon due advice," do presume that the Pope cannot proceed
331 immaturely, or without due advice; or not rather, that he may proceed rashly, and without due advice. Otherwise the condition was vainly and superfluously added. '*Frustra fit per plura quod fieri potest per pauciora.*'

But the truth is, we have nothing concerning this question, [No question in this case

[s] [See Protestants' Ordin. Defended (p. 1020. fol. edit.), Disc. vii. Pt. iv.]

[t] Bellarm., De Roman. Pontif., lib. iv. c. 2. [Op. tom. i. p. 952. D.]

[u] [Id., ibid., p. 953. A.]

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of jurisdiction merely spiritual.]

nor concerning any jurisdiction merely spiritual, in all the statutes of Henry the Eighth. They do all intend coactive jurisdiction in the exterior court of the Church. Yet, although nothing which he saith doth constrain me, I will observe my wonted ingenuity. We give the supreme judicature of controversies of Faith to a general Council; and the supreme power of spiritual censures, which are coactive only in the court of conscience: but if the sovereign prince shall approve or confirm the Acts of a general Council, then they have a coactive power in the exterior court, both political and ecclesiastical. There is nothing that we long after more, than a general Council rightly called, rightly proceeding; or in defect of that, a free occidental Council, as general as may be. But then we would have the Bishops to renounce that oath which hath been obtruded upon them, and the Council to declare it void:—"I, A. Bishop," &c. "will be faithful to St. Peter, and to the Holy Apostolical Church of Rome, and to our Lord Pope Alexander," &c.; "I will be an assistant to retain and to defend the Roman Papacy, and the royalties of St. Peter[x]." Where this oath is esteemed obligatory, I do not see how there can be a free Council.

But I retire myself to that which concerneth our present question, and the laws of King Henry the Eighth,—concerning judiciary power in the exterior court of the Church.

1. The Pope can receive no appeals from England.

1. The first branch of this third usurpation is, "Whether the Bishop of Rome can receive appeals from England, and send for what English subjects he pleaseth to Rome, without the king's leave[y]."

The first precedent, and the only precedent that we have, of any appeal out of England to Rome, for the first thousand years after Christ, was that of Wilfrid Archbishop of York; though, to speak the truth, that was rather an equitable than a legal appeal to the Pope, as the only Bishop of an Apostolical Church in the West, and an honourable arbitrator, and a faithful depositary of the Apostolical Traditions, not as a superior judge. For neither were the adverse parties summoned to Rome, nor any witnesses produced; both which ought to have been done in a legal appeal. But the success was so contrary to the Pope's interest, and the re-

[x] [See above c. 5. pp. 416, &c.]

[y] [Above c. 4. in fin., p. 403.]

solution of the king, Church, and kingdom of England so unanimous (that "they could not assent to the Pope's legation, because it was against reason that a person twice condemned by the whole Council of the English should be restored upon the Pope's letter[z]"), that England was never troubled with any more appeals to Rome until after the Conquest. Neither durst the Pope send any Bulls or mandates then, but a plain "letter[a]."

The next appellant was Anselm a stranger (who knew not the liberties of England), in the days of Henry the First, as successless as Wilfrid had been. Will you trust the testimony of a king?—and I know not why a king should not be trusted for the customs of his own kingdom,—hear King Henry the First, the son of the Conqueror,—"It is a custom of my kingdom instituted by my father" (instituted indeed, but not first instituted, for it was an old Saxon custom), "that no Pope be appealed to without the license of the king[b]." Another law of the same king was, "By all means we discharge foreign judgments[c]." If you will not trust the king, trust the whole kingdom, upon their oaths, in the days of Henry his grandchild. The first English custom recited in the Assise of Clarendon is this, that 'all appeals in England must proceed regularly from the Archdeacon to the Bishop, from the Bishop to the Archbishop; and if the Archbishop failed to do justice, the last complaint must be to the king, to give order for redress[d].' If we will not trust the king and kingdom, yet let us trust the Pope himself. Thus Paschal the Second writeth to our Henry the First, "The Pope's nuncios and letters do find no reception within thy jurisdiction, there are no complaints from those parts, no appeals are destined to the Apostolic See[e]." The Abbot of Thorney found this true by experience, who lay long in prison notwithstanding his appeal to Rome[f]. The case is so plain, that I shall not cite one authority more in it, but only one of our statute laws, made not only by the assent (as is

[z] [Spelm., Concil., tom. i. p. 203. in an. 705.]

[a] [See Just Vindic., c. iv. (vol. i. pp. 133—135), Disc. ii. Pt. i.]

[b] Malmesb., De Gest. Pontif. Anglor., lib. i. [p. 219.]

[c] Leg. Hen. I. c. 31. [ap. Wilk., Legg. Angl. Sax., &c., p. 248.]

[d] Matt. Paris., an. 1164. [pp. 100, 101.]

[e] Eadmer., [Hist. Nov.,] lib. v. p. 113.

[f] Hoveden, [Annal., P. poster.,] an. 1195. [in Rich. I. p. 757. See Twysd., Histor. Vindic., c. iii. § 32. p. 33.]

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usual) but upon the prayer, and grievous and clamorous complaints, of the Peers and Commons; that because "people are drawn out of the realm to answer things, the cognizance 332 whereof belongeth to the king's courts, and the judgments of the king's courts are impeached in another court" (the Court of Rome,) "to the disinheriting of the king and his Crown, and the undoing and destruction of the common-law of the land;" therefore it is ordained, that "whosoever shall draw a man out of the realm in plea," if he do not appear upon summons and conform to the sentence of the king's court, he shall forfeit lands and goods, be outlawed and imprisoned [g].

[The canon of the Council of Sardica.]

Against such fortifications, grounded upon prescription and imperial laws, the canon of the Council of Sardica [h] will make no great battery. Take the Council of Sardica at the best, waving all exceptions, yet certainly it was no general Council. If it were, it had been one of the four first. If it had been a general Council itself, three succeeding Popes were much to blame, to father the canons of it upon the first general Council of Nice [i]. The canons of the Council of Sardica did not bind the Africans of old, much less bind us now [k]. Secondly, the canon of Sardica doth only give way to appeals to Rome in cases between two Bishops: but the Court of Rome admitteth appeals from inferior clergymen, from laymen, from all sorts of men, in all sorts of causes that are of ecclesiastical cognizance. Thirdly, the canon of Sardica is a mere permission, no precept; what may be done in discretion, not what ought to be done of necessity. It was proposed with a "*Si vobis placet*"—"If it please you;" and the ground of it is a compliment, "Let us honour the memory of St. Peter." Fourthly, there is one great circumstance in our case, which varieth it quite from that proposed by Osius to the Sardican Fathers, that is, that our king and the laws of the realm do forbid appeals to Rome. If there had been such an imperial law then, do we think that the Fathers of Sardica would have been so disloyal, or so simple, to think to abrogate the imperial laws by their canons, which are no laws but by the emperor's confirmation? No, the

[g] 27 Edw. III. [c. 1. § 1.]

[h] [Concil. Sardic. (A. D. 347.) can. 3; ap. Labb., Concil., tom. ii. pp. 628, 629.]

[i] [See above c. 1. p. 374. note y.]

[k] [See above c. 1. ibid.]

Fathers of that age did know their duty too well to their emperor; and if they could have foreseen what avaricious practices and what gross oppressions would have sprung in time from this little seed of their indulgence, they would have abominated them. Lastly, supposing the Sardican Council had been of more authority, and the canon thereof of more extent than it was, and more peremptory, and that there had been no such intervening impediment why English subjects could not make use of that remedy; yet the Council of Sardica can give but human right, and a contrary prescription for a thousand years is a sufficient enfranchisement from all pretence of human right [l].

2. The second branch of this usurpation is as clear as the former;—concerning Papal Bulls and excommunications, that by our ancient laws they cannot be executed in England without the king's leave. In the Assise of Clarendon this is found to be one of the ancient customs of England,—that "none of the king's servants, or tenants that held of him *in capite*, might be excommunicated, or their lands interdicted, before the king was made acquainted [m]." There was a severe law made in the reign of the same king, "If any man be found bringing in the Pope's letter or mandate, let him be apprehended, and let justice pass upon him without delay, as a traitor to the king and kingdom [n]." It seemeth, that the first and second Henries were no more propitious to Rome than Henry the Eighth. Take one statute more; it was enacted in full Parliament by Richard the Second, that "if any did procure or pursue any such processes or excommunications in the Court of Rome," as are there mentioned (that is, concerning presentations to benefices or dignities ecclesiastical), they who bring them into the realm or receive them or execute them, "shall be put out of the king's protection; their lands, goods and chattels be confiscated to the king, and their bodies attached [o]." They had the same respect for the Pope's Bulls, as often as they did not like them, in Henry the Fourth's time; as we see by the statute made against those, "who brought or prosecuted

2. Of Papal Bulls and excommunications.

[l] [For a fuller account of the canon of Sardica, see below in sect. iv. (pp. 373, 374. fol. edit.).]

[m] Matt. Paris., an. 1164. [p. 100].

[n] Hoveden, [Annal., P. poster.,] in Hen. II. [p. 496.]

[o] 16 Rich. II. c. [5.]

PART I. the Pope's Bulls granted in favour of the Cistercians[p]." By the law of England, if any man denounced the Pope's excommunication without the assent of the king, he forfeited all his goods[q]; and it is recorded in particular, how the king's writ issued out against the Bishops of London and Norwich, "as being at the king's mercy," because "contrary to the statute of Clarendon, by the Pope's mandate, they had interdicted the lands of Earl Hugh, and had published an excommunication without the king's license, which the Pope had given out against him[r]." All these laws continued 333
still in force, and were never repealed in England, neither before Henry the Eighth began the Reformation, nor since by Queen Mary, but have ever continued in full force until this day.

3. Of Papal legates.

3. Lastly, for legates and legantine courts, there could be no appeal in England to any legate or nuncio without the king's leave; but all appeals must be from the Archdeacon to the Bishop, from the Bishop to the Archbishop, from the Archbishop to the king; as we see expressly by the Statute of Assise of Clarendon formerly cited[s]. The kings of England did ever deem it to be an unquestionable right of the crown (as Eadmerus testifieth), "to suffer none to exercise the office of a legate in England, if the king himself did not desire it of the Pope, upon some great quarrel that could not be so well determined by the Archbishop of Canterbury and the other Bishops[t];" which privilege was consented unto by Pope Callixtus[u]. By the laws of England, if a legate was admitted of courtesy, he was "to take his oath to do nothing derogatory to the king and his crown[x]." Henry the Sixth, by the counsel of Humphrey Duke of Glocester the Protector, protested against Pope Martin and his legate, that they would not admit him contrary to the laws and liberties of the realm, and dissented from whatsoever he did[y]. And when the Pope had recalled Cardinal Pole's commission of legate for England, and was sending

[p] 2 Hen. IV. c. 4.
[q] Placita, an. 32 et 34. Edw. I.
[r] Hoveden, [in Hen. I.] an. 1165. [p. 496.]—Matt. Paris., an. 1164. [p. 103.]
[s] [p. 439. note d.]
[t] Eadmer., [Hist. Nov.,] lib. v. p. 125.
[u] [Id.,] ibid.
[x] Placit., an. 1. Hen. VII.
[y] [Foxe,] Acts and Monum., [bk. v. vol. i. pp. 802, 803. an. 1428.]

another legate into England, Queen Mary being very tender of her kinsman's honour, for all her good affection to Rome, was yet mindful of this point of old English law, to cause all the seaports to be stopped, and all letters, briefs, and Bulls from Rome, to be intercepted and brought to her[z]. She knew this was an old English, not a new Protestant privilege. Neither would she ever admit the new legate to appear as legate in her presence[z].

[English liberties in this point also the same as the Gallican.]

Now let us see how these old English customs do agree with the French liberties.

"The Pope cannot send a legate *à latere* into France, with power to reform, judge, collate, dispense, . . except it be upon the desire or with the approbation of the most Christian King. Neither can the legate execute his charge, until he hath promised the king, under his oath upon his holy orders, to make no longer use of the legantine power in the king's dominions than it pleaseth him," [and] that he shall "attempt nothing contrary to the liberties of the Gallican Church:" and "it is lawful to appeal from the Pope to a future Council[a]."

Another liberty is, "The commissions and Bulls of Popes" are to be viewed "by the Court of Parliament," and "registered, and published with such cautions . . as that Court shall judge expedient[b]."

A third liberty is, "Papal Bulls, sentences, excommunications, and the like, are not to be executed in France without the king's command or permission[c]."

Lastly, "Neither the king, nor his realm, nor his officers, can be excommunicated nor interdicted by the Pope[d]."

[And as those of the United Provinces.]

And as England and France, so all the seventeen Provinces did enjoy the same privileges; as appeareth by the Placaert of the Council of Brabant, dated at Brussels May 12. anno 1653; wherein they declare, that "it was notoriously true, that the subjects of those Provinces, of what state or condition soever" (that is, the clergy as well as the laity,) "cannot be cited or convented out of the land, no, not before the Court of Rome itself;" and that "the

[z] [See Replic., &c., c. vii. sect. 1; above p. 216. note d.]

[a] [Just Vindic., c. vii. vol. i. pp. 226. § 5, 227. § 13.]

[b] [Ibid., p. 226. § 6.]

[c] [Ibid., p. 227. § 9.]

[d] [Ibid., § 10.]

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censures, excommunications," &c. "of that Court, might not be published or put in execution without the king's approbation [e]." It seemeth, that if the Pope had any judiciary power of old, he must seek it nearer home. People had no mind to go over the Alps to seek for justice. And that ordinance of St. Cyprian had place everywhere among our ancestors;—"Seeing it is decreed by all, and it is equal and just, that every man's cause be heard there where the crime was committed; and a portion of the flock is assigned to every pastor, which he may rule and govern, and must render an account of his actions to the Lord; it behoveth those whom we are over, not to run up and down, nor to knock Bishops who agree well one against another by their cunning and deceitful rashness, but to plead their cause there, where they may have both accusers and witnesses of their crime; unless the authority of the African Bishops, who have judged them already, seem less to a few desperate and lost persons," &c. [f] To say St. Cyprian meant not to condemn appeals, but only the bringing causes out of Afric to Rome in the first instance [g], is a shift as desperate as that of those fugitives. For St. Cyprian telleth us plainly, 334
["dicta est sententia."] that the cause was "already judged," and "sentence given" in Afric. The first instance was past, and this canon was made against appeals out of Africa to Rome.

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IV. Of Papal *dispensations.*

So, from his judiciary power, I come to Papal *dispensations*, the last of the grosser usurpations of the Bishops of Rome; where I have a large field offered me to expatiate in, if I held it so pertinent to the present controversy. The Pharisees did never dilate their phylacteries so much, as the Roman courtiers did their dispensative power. The Pope dispenseth with oaths, with vows, with laws; he looseth from sins, from censures, from punishments. Is not this a strange key, which can unlock both sins, and censures, and

[Matt. xxiii. 5.]

[e] [Ibid., pp. 236, 237. note n.]

[f] Cypr., Epist. 55. [ed. Pamel.], Ad Cornel., [Ep. 59. pp. 136, 137. ed. Fell.]

[g] [Bellarm., De Roman. Pontif., lib. ii. c. 23; Op. tom. i. pp. 792. D, 793. A.]

punishments, and laws, and oaths, and vows, where there are so many and so different wards? It is two to one that it proveth not a right key, but a picklock. Their doctrine of dispensations was foul enough; especially in such cases as concern the law of God or nature; as oaths, vows, leagues, marriages, allegiance. For either they make the dispensation to be only declarative [h]; and then the purchaser is merely cheated, who pays his money for nothing: or else they make all contracts, leagues, promises, to be but conditional—"if the Pope approve them [i];" which destroyeth all mutual trust and human society: or, thirdly, they make the Pope's dispensations to be a taking away of the matter of the vow or oath, that is, the promise [k]; as if the papal power could recal that which is past, or make that to be undone to-day, which was done yesterday, or that not to be promised, which was promised: or, lastly, they do dispense with the law of God and nature [l]; as they do indeed, whatsoever they pretend to the contrary, or all this kind of dispensations signify nothing.

But the practice of dispensations was much more foul: witness their Penitentiary Tax, wherein a man might see the price of his sin before-hand; their common nundination of pardons, their absolving subjects from their oaths of allegiance, their loosing of princes from their solemn leagues, of married people from the bonds of matrimony, of cloisterers from their vows of celibate, of all sorts of persons from all obligations civil or sacred. And whereas "no dispensation ought to be granted without just cause, now there is no cause at all enquired after in the Court of Rome, but only the price [m]." This is that which the nine choice Cardinals laid so close to the conscience of Paul the Third; 'how sacred and venerable the authority of the laws ought to be, how unlawful and pernicious it is to reap any gain

[h] [See Suarez, De Legibus, lib. vi. c. 10. § 3; arguing against this doctrine.]

[i] [See Thom. Aquin., Secund. Secund. Part., Qu. lxxxviii. art. 12; and Cajetan's Commentary.]

[k] [See for instance Suarez, De Legibus, lib. vi. c. 12. § 3.]

[l] [Gloss. in Decret. P. ii. Caus. xv. Qu. 6. c. 2. "Auctoritatem;" and see other authorities in Taylor, Dissuas. from Popery, P. i. c. iii. sect. 1, and Rule of Conscience, bk. ii. c. iii. rule 11. § 7—12; and Van Espen, Jus Eccles., Dissert. de Dispensat., c. ii. § 4. Op. tom. ii. pp. 759, &c. Lovan. 1753.]

[m] Memorial de Sa Magestad Catolica, c. 6. [See Just Vindic., c. vii. vol. i. p. 232. note z.]

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from the exercise of the Keys[n].' They inveigh sadly throughout against dispensations; and among other things, that "simoniacal persons were not afraid" at Rome, "first to commit simony, and presently to go buy an absolution, and so retain their benefice[o]." "*Bina venena juvant*;"—two gross simonies make a title at Rome, thanks to the Pope's dispensations.

[But especially of the Pope's dispensing with English laws in the exterior court.]

But I must contract my discourse to those dispensations which are intended in the laws of Henry the Eighth, that is, the power to dispense with English laws in the exterior court. 1. Let him bind or loose inwardly whom he will; whether his key err or not, we are not concerned. 2. Secondly, as he is a prince in his own territories, he that hath power to bind, hath power to loose; he that hath power to make laws, hath power to dispense with his own laws. Laws are made of common events; those benign circumstances which happen rarely, are left to the dispensative grace of the prince. 3. Thirdly, as he is a Bishop, whatsoever dispensative power the ancient ecclesiastical canons, or edicts of Christian emperors, give to the Bishop of Rome within those territories which were subject to his jurisdiction by human right, we do not envy him; so he suffer us to enjoy our ancient privileges and immunities, freed from his encroachments and usurpations. The chief ground of the ancient ecclesiastical canon was, "Let the old customs prevail[p]." A possession or prescription of eleven hundred years is a good ward both in law and conscience against human right, and much more against a new pretence of Divine right. For eleven hundred years our kings and Bishops enjoyed the sole dispensative power with all English laws civil and ecclesiastical; in all which time he is not able to give one instance of a Papal dispensation in England, nor any shadow of it, when the Church was formed. Where the Bishops of Rome had no legislative power, no judiciary power in the exterior Court, by necessary consequence they could have no dispensative power. The first reservation of any case in England to the censure and absolution of the Pope, is supposed

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[n] [Concil. Delect. Cardin., in Append. ad Fascic. Rer. Expetend. et Fugiend., p. 232.]

[o] [Ibid., p. 235.]

[p] [Concil. Nicæn. I. (A. D. 323). can. 6. ap. Labb., Concil., tom. ii. p. 32. C.]

to have been that of Albericus the Pope's legate, in an English Synod, in the year 1138:—"*Neque quisquam ei præter Romanum pontificem, nisi mortis urgente periculo, modum pœnitentiæ finalis injungat*"—"Let no man enjoin him the manner of final penance but the Bishop of Rome, except in danger of death [q]." Discourse IV.

[Dispensative power in our own Bishops from the beginning.]

But long before this, indeed from the beginning, our own Bishops (as the most proper judges, who lived upon the place, and see the nature of the crime and the degree of the delinquent's penitence or impenitence,) did according to equity relax the rigour of ecclesiastical canons; as they did all over the Christian world, before the Court of Rome had usurped this gainful monopoly of dispensations [r]. In the laws of Alured alone [s], and in the conjoint laws of Alured and Gunthrun [s], we see how many sorts of ecclesiastical crimes were dispensed withal by the sole authority of the king and Church of England, and satisfaction made at home to the king, and to the Church, and to the party grieved, or the poor, without any manner of reference at all to the Court of Rome, or to any foreign dispensation. The like we find in the laws of some other Saxon kings [t]. There needed no other Penitentiary Tax. Dunstan the Archbishop had excommunicated a great Count. He made his peace at Rome, and obtained the Pope's command for his restitution to the bosom of the Church. Dunstan answered, "I will obey the Pope willingly when I see him penitent, but it is not God's will that he should lie in his sin free from ecclesiastical discipline to insult over us; God forbid, that I should relinquish the law of Christ for the cause of any mortal man [u]." Roman dispensations were not in such request in those days.

The Church of England dispensed with those nuns, who had "fled to their nunneries not for the love of religion," but had taken the veil upon them merely "for fear of the French [x];" and this, with the counsel of the king, in the days

[q] Gervas. Dorobern., [Chron., in Stephan.,] p. 1348. [ap. Twysden, Hist. Angl. Script. X.]

[r] [Thomassin, Vet. et Nov. Discipl., P. ii. lib. iii. c. 24. § 14; et c. 25. § 10-15; et c. 26. § 1.]

[s] [Ap.] Spelman., Concil., [tom. i.] pp. 364, &c. [in an. 887.]

[t] [E. g. those of Ethelstan, Edmund, Canute, &c.—ap. Spelm., Concil. tom. i.]

[u] Ibid., [tom. i.] p. 401. [in an. 969.]

[x] Lanfranc., Epist. 32. [Ad Goisfrid., Episc. Constant., Op. p. 316, 2. C. ed. Dacher.]

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of Lanfranc: and with Queen Maud the wife of Henry the First in the like case, in the days of Anselm, without any suit to Rome for a foreign dispensation[y].

[Papal dispensations prostituted to avaricious ends.]

There can be nothing more pernicious than where the sacred name of law is prostituted to avaricious ends; where statutes or canons are made like pitfalls or traps to catch the subjects by their purses; where profitable faults are cherished for private advantage by mercenary judges, as beggars do their sores. The Roman Rota doth acknowledge such ordinary avaricious dispensations to be "odious" things[z]. The Delected Cardinals make them to be sacrilegious things, an "unlawful selling of the power of the Keys[a]." Commonly they are called "*vulnera legum*"—"the wounds of the laws;" and our Statutes of Provisors do style them expressly "the undoing and destruction of the common law of the land[b]." The king, the lords spiritual and temporal, and the whole commonwealth of England, complained of this abuse as a mighty grievance;—"of the frequent coming among them of this infamous messenger the Pope's *Non-obstante*" (that is, his dispensations), "by which oaths, customs, writings, grants, statutes, rights, privileges, were not only weakened but exinanited[c]." Sometimes these dispensative Bulls came to legal trials, and were condemned. By the law of the land the Archbishop of Canterbury was Visiter of the University of Oxford; Boniface the Eighth by his Bull dispensed with this law, and exempted the University from the jurisdiction of the Archbishop: whereupon there grew a controversy, and the Bull was decreed void in Parliament by two succeeding kings, as "being obtained to the prejudice of the Crown, the weakening of the laws and customs of the kingdom, in favour of Lollards and heretics, and [to] the probable ruin of the said University[d]."

[The English liberties the same as the Gallican in this point also.]

How the liberties of France and the laws and customs of England do accord in condemning this usurpation, we have seen formerly.—"The power of the Pope is not absolute in

[y] Eadmer., [Hist. Nov.,] lib. iii. pp. [56,] 57.

[z] [Deciss. Audit. Rot. Rom., P. i. Decis. 240. num. 2. tom. i. p. 148.]

[a] [Concil. Delect. Cardin., in Append. ad Fascic. Rer. Expetend. et Fugiend. pp. 232, 235.]

[b] 25 Edw. III. [Stat. 6. § 2.]

[c] Matt. Paris., an. 1245. [p. 699. in an. 1246.]

[d] Ex Arch. Turr. Londin., [ap.] Antiq. Acad. Cantab. [by Joh. Caius], p. 91. [ed. 1568.—pp. 62, 63. ed. Hearne, Oxon. 1730.]

France, but limited and restrained by the canons of ancient Councils[e]." If it be limited and restrained by ancient
336 canons, then is it not paramount above the canons, then it is not dispensative to give *non-obstante*'s to the canons. And, "The Pope's legate may not execute his commission, before he have promised . . . under his oath, upon his Holy Orders," that he will not "attempt any thing" in the exercise of his legantine power "to the prejudice of the decrees of general Councils, or the privileges of the French Church[f]." Then he must give no dispensations against the canons, or contrary to those privileges.

Thus we have viewed all the real differences between the Church of Rome and us concerning Papal power, which our laws take notice of. There are some other petty abuses which we complain of, but they may be all referred to one of these four heads,—the patronage of the Church of England, the legislative, the judiciary, and dispensative, powers. Other differences are but the opinions of particular persons; but "where no law is, there is no transgression." We have seen evidently, that Henry the Eighth did cast no branch of Papal power out of England, but that which was diametrally repugnant to the ancient laws of the land, made in the reign of Henry the Fourth, Richard the Second, Edward the Third, Edward the First, Henry the Third, Henry the Second: and these laws ever of force in England, never repealed; no, not so much as in Queen Mary's time, when all the laws of Henry the Eighth and Edward the Sixth which concerned the Bishop of Rome were repealed. So that I profess clearly, I do not see what advantage Henry the Eighth could make of his own laws, which he might not have made of those ancient laws, except only a gaudy title of "Head of the English Church," which survived him not long; and the tenths and first-fruits of the clergy, which was so late an usurpation of the Pope, that it was not in the nature of things when those ancient laws were made.

[Rom. iv. 15.]

And since I have mentioned the novelty of that upstart usurpation, give me leave to let you see how it was welcomed into England, whilst it was but yet hatching with the shell

[Of tenths and first-fruits.]

[e] [Above, c. 6. p. 434. note h.]

[f] [Just Vindic., c. vii. vol. i. p. 226. § 5.]

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[Conclu-sion.] To conclude.—We have seen the precise time when all these weeds did first begin to peep out of the earth. The very first introduction to the intended pageant was the spoiling of Christian kings of the patronage of the Church, which Bellarmine confesseth that they held "*per non breve tempus*"—"for a long time[h]:"—a long time indeed, so long as there had been Christian princes in the world; from Constantine the Great to Henry the Fourth in the empire, and yet longer with us in Britain, from King Lucius to Henry [A.D.1107] the First. The clergy of Liege say, "*Nimium effluxit tempus quo hæc consuetudo incepit*," &c.—"It is too long since this custom" (of swearing fidelity to princes) "did begin; and under this custom holy and reverend Bishops have yielded up their souls to God, giving to Cæsar that which was Cæsar's, and to God that which was God's[i]." But then rose up Pope Hildebrand, otherwise called Gregory the Seventh, "*fortissimus Ecclesiæ Dei vindex*"—"the most undaunted vindicator of the Church of God, who feared not to revoke and defend the old holy ecclesiastical laws[k]." With this accordeth the Church of Liege,—"*Hildebrandus Papa, author hujus novelli schismatis, primus levavit Sacerdotalem lanceam*

[g] 6 Hen. IV. c. 1.

[h] Apolog. Card. Bellarm. Contra Præf. Monit. [Reg. Jacob., c. vi.] p. [46.]

[i] Epist. Cler. Leod. contra Paschal. II. in tom. ii. Concil. [Petri Crabb., p. 314; et ap. Labb., Concil., tom. x. pp. 636. E, 637. A. The latter reads "nimirum effluxit," &c.]

[k] Bellarm., ibid. [as quoted in note h.]

contra diadema regni," &c.—"Pope Hildebrand, the author of this new schism, first lift up his Episcopal lance against the royal diadem[l]:" and a little after, "*Si utriusque legis totam bibliothecam,*" &c.—"If I turn over the whole library of the old and new law, and all the ancient expositors thereof, I shall not find an example of this Apostolical precept, only Pope Hildebrand perfected the sacred canons, when he commanded Maud the Marchioness to subdue Henry the Emperor, for remission of her sins[m]."

337 I take no exceptions to the person of Pope Hildebrand; others have done it sufficiently. Whether the title of Antichrist was fastened upon him justly or unjustly, I regard not. Yet it was in the time of this Hildebrand and Paschalis his successor, that the Archbishop of Florence affirmed by revelation (for he protested that "he knew it most certainly"), that "Antichrist was to be revealed in that age[n]." And about this time the Waldenses (of whom St. Bernard saith, that "if we inquire into their Faith, nothing was more Christian; if into their conversation, nothing was more irreprehensible[o]") made their secession from the Bishop of Rome; and not long after, in the year 1120, published a book to the world, that "the great Antichrist was come;" that the present governors of the Roman Church, "armed with both powers," secular and spiritual, who "under the specious name of the Spouse of Christ" did "oppose the right way of salvation," were Antichrist[p].

But I cannot but wonder, what are those "old holy ecclesiastical laws" which Bellarmine mentioneth, those "institutions of the Holy Fathers" which Hildebrand himself professeth to follow,—"*Sanctorum patrum instituta sequentes*[q]." Why do they mention what they are not able to produce or pretend what they never can perform? Bellarmine hath named but one poor counterfeit canon[r], without antiquity,

[l] [Epist. Cler. Leod., &c. ap Crabb., ibid. p. 814; et Labb., ibid. p. 638. B.]

[m] [Ibid., ap. Crabb., p. 817; p. 641. E.]

[n] Bernard., Epist. 56. [Ad Gaufrid., Carnot. Episc.; of Norbert Abp. of *Magdeburg.*]

[o] Bernard., Serm. 65. in Cantic. [Op. tom. i. p. 991. G. H. Paris. 1586.]

[p] Joseph Mede, [Revel. Antichristi. seu] De Numeris Danielis: [Works, bk. iii. pp. 888, 889. Lond. 1664.]

[q] Platin., in Vitâ Greg. VII. [p. 168, l.]

[r] [Bellarm., as quoted in p. 450. note h; citing Concil. Œcumen. VIII. (scil. Constantin. IV. A. D. 869.) can. 22. (ap. Labb., Concil., tom. viii. p. 1141); which prohibits the interference of laymen in the election of

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without authority, without use, without truth. If Mr. Serjeant be able to help him with a recruit, it would come very seasonably: for without some such helps, his pretended "institutions of the Fathers" will be condemned for his own innovations, and for arrant usurpations, and the guilt of schism will fall upon the Roman Court.

CHAPTER THE NINTH.

V. Our laws meddle not with spiritual jurisdiction.

V. But I expect it should be objected, that besides these statutes which concern the patronage of the English Church, the legislative, the judiciary, the dispensative power of Popes, there are two other statutes made by Henry the Eighth; the one "An Act for extinguishing the Authority of the Bishop of Rome[s]," the other "An Act for establishing the king's succession in the Crown[t]," wherein there is an oath, that "the Bishop of Rome ought not to have any jurisdiction or authority in this realm:" and that it is declared in the thirty-seventh Article of our Church, that "the Bishop of Rome hath no jurisdiction in this kingdom of England;" and in the oath ordained by Queen Elizabeth, that "no foreign prelate hath or ought to have any jurisdiction or authority ecclesiastical or spiritual within this realm[u]."

I answer this objection three ways.

First, as to the two laws of Henry the Eighth, they are both repealed long since by Queen Mary[x], and never were restored by any succeeding prince. If there were any thing blameworthy in them, let it die with them. I confess I approve not the construing of one oath for another, nor the swearing beforehand to statutes made or to be made. But '*de mortuis nil nisi bonum.*'

Secondly, I answer, according to the equity of my second ground, that although it were supposed that our ancestors had over-reached themselves and the truth in some expressions, yet that concerns not us at all, so long as we keep ourselves exactly to the line and level of Apostolical tradition.

Bishops. How it is counterfeit, see Beveridge, Synodic., Annot. ad Concil., tom. ii. pp. 170, 171.]

[s] 28 Hen. VIII. c. 10.

[t] 35 Hen. VIII. c. [1.]

[u] [1 Eliz. c. 1. § 19.]

[x] [1 and 2 Philip and Mary, c. 8. § 15, 21.]

Thirdly and principally, I answer, that our ancestors meant the very same thing that we do. Our only difference is in the use of the words "spiritual authority or jurisdiction;" which we understand properly of jurisdiction purely spiritual, which extendeth no further than the court of conscience: but by "spiritual authority or jurisdiction" they did understand ecclesiastical jurisdiction in the exterior court, which in truth is partly spiritual, partly political; the interior habit, which enableth an ecclesiastical judge to excommunicate, or absolve, or degrade, is merely spiritual; but the exterior coaction is originally political. So our ancestors cast out external ecclesiastical coactive jurisdiction; the same do we: they did not take away from the Pope the power of the Keys, or jurisdiction purely spiritual; no more do we.

[Threefold power in Bishops.]

To clear the whole business.—We must know, that in Bishops there is a threefold power; the first of Order, the second of Interior Jurisdiction, the third of Exterior Jurisdiction. The first is referred to the consecrating and administering of the Sacraments; the second to the regiment of Christians in the interior court of conscience; the third to the regiment of Christian people in the exterior court of the Church[y].

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[No controversy concerning order or interior jurisdiction with the Romanists.]

Concerning the two former, I know no controversy between the Church of Rome and us but one,—whether the Bishop of Rome alone do derive his jurisdiction immediately from Christ, and all other Bishops do derive theirs mediately by him. Yet I confess, this controversy is but with a part of the Church of Rome; for many of them are of our mind, that all Bishops hold their jurisdiction immediately from Christ, as well as the Pope. And if it were otherwise, it were the grossest absurdity in the world. For thousands of Bishops in Christendom do not at all derive their holy orders from St. Peter, or any other Roman Bishop, either mediately or immediately (especially in Asia and Africa), but from the other Apostles. Must all these poor Bishops want the key of jurisdiction and be but half Bishops, to humour the Court of Rome? For they never had ordination, or delegation, or commission from Rome; either mediately or immediately;

[y] [See Bellarm., De Roman Pontif., lib. iv; c. 22. Op. tom. i. pp. 1043, 1044.]

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yet the Christian world hath evermore received them for true complete Bishops[z].

[But with our own Innovators.]

But we have a controversy with some others, who acknowledge no power of governing in a Bishop but merely directive; neither more nor less than a physician hath over his patient, to advise him to abstain from some meats because they are hurtful to him, which advice the patient may either obey or reject without sin. But all the schools have tied two keys to the Church's girdle, the key of order and the key of jurisdiction, and I do not mean to rob my Mother of one of her keys. "What will ye, shall I come unto you with a rod?" A "rod" is more than chiding. The principal branch of this "rod" is excommunication (a punishment more to be feared in the judgment of the Fathers than all earthly pains), the spiritual sword, like the cutting of a member in the body natural, or the outlawing of a subject in the body political. It is a question in the schools, whether the pastor's sentence in binding and loosing be only declarative, or also operative[a]. As if such glorious promises, and so great solemnity wherewith this power was given, did imply a naked declaration. Keys are not given to signify the door is open or shut, but to open or shut it indeed. For my part, I have always esteemed this question to be a mere logomachy or contention about words. They who make the sentence only declarative in respect of man, do acknowledge it to be operative in respect of God: and they who make it to be operative, make it to be operative by the power of God, not of man. Whether the effect be attributed to the principal cause, or to the instrument, being rightly understood, it is both ways true.

1 Cor. iv. 21.

But this will not excuse our innovators, who have robbed the Church of one of her keys, the key of spiritual jurisdiction. They are so jealous of the honour of God, that they destroy the beauty of the world, and jump over the backs of all second causes; and so they would make the holy Sacraments to be bare signs. As it was said of old—"the sword of the Lord and of Gideon," so we may say now—the key of Christ and His pastor. St. Paul taxeth the Corinthians for

[Judg. vii. 20.]

[z] [See above in the Replicat., c. v. sect. 2. p. 160, Disc. iii. Pt. i.]

[a] [Thom. Aquin., Summ. P. iii. Qu. 84. Art. 3: and see Bellarm., De Penitent., lib. iii. c. 2. Op. tom. ii. pp. 1349—1355.]

saying "I am of Paul, I am of Apollos, I am of Cephas, I am of Christ; what" (saith he), "is Christ divided?" Is Christ divided from His ministers? As it is an error on the one hand, to depend so much upon Paul, and Apollos, and Cephas, or any of them, as not to depend principally upon Christ; so it is an error on the other hand, to depend so upon Christ as to neglect Paul, Apollos, and Cephas. 1 Cor. i. 12.

In sum;—Christ made His Apostles not only lawyers to give advice, but judges to give sentence. He gave them not only a command but a commission,—"As My Father sent Me, so send I you;" that is, I do constitute you My deputies and surrogates, with as ample power and commission as My Father gave Me; bind, loose, remit, retain; whatsoever you do on earth ('*clave non errante*'—'as long as your key erreth not') I confirm in Heaven. This is the difference between the binding and loosing of Christ, and the binding and loosing of His ministers; His power is original, primitive, sovereign, imperial; their power is derivative, subordinate, delegate, ministerial. His sentence is absolute—*ad sententiandum simpliciter*; their sentence is conditional—*ad sententiandum si*. His key never erreth; their key may err, and many times doth err. To conclude; the Apostles had a legislative power Joh. xx. 21.

339 —"It seemed good to the Holy Ghost and to us, to lay upon you no greater burden than these necessary things." The observation of Sunday was an Apostolical precept; so is the order of Deacons. They had a judiciary power, and their tribunals;—"Against an elder receive not an accusation, but before two or three witnesses." They had a dispensative power,—"To whom I forgave any thing, for your sakes forgave I it in the person of Christ." But all this is only in the interior court of conscience. Acts xv. 28. 1 Tim. v. 19. 2 Cor. ii. 10.

The third power of Bishops is the power of exterior jurisdiction in the court of the Church, whereby men are compelled against their wills by exterior means. This the Apostles had not from Christ, nor their successors from them; neither did Christ ever assume any such power to Himself in the world;—"My kingdom is not of this world," and, "Man, who made Me a judge or divider over you?" Yet the greatest controversies at this day in the ecclesiastical court are about possessions, as glebes, tithes, oblations, por- [Of the third power, viz. that of exterior jurisdiction.] John xviii. 36. Luke xii. 14.

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tions, legacies, administrations, &c. And if it were not for these, the rest would not be so much valued. "*In criminibus non in possessionibus potestas vestra, quoniam propter illa et non propter has accepistis claves regni Cælorum,*" saith St. Bernard well to the Pope;—"Your power is in crimes not in possessions; for those and not for these you received the keys of the kingdom of Heaven[b]." But suppose the controversy to be about a crime, yet who can summon another man's subjects to appear where they please, and imprison or punish them for not appearing, without his leave? All that power which ecclesiastical judges have of external coaction, they owe it wholly, either to the submission of the parties, where the magistrate is not Christian (as the Jews at this day do undergo such penitential acts as are enjoined them by their superiors, because the reverence of them who obey doth supply the defects of their power who command); or where the magistrate is Christian, they owe it to his gracious concessions. Of which if any man doubt, and desire to see how this coactive power, how these external privileges, did first come to be enjoyed by ecclesiastical persons, let him read over the first Book of the Code, and the Authentics or Novels of Justinian: and for our English Church in particular, let him consult with our best historiographers. Eadmerus was one whom they need not suspect of partiality, as being Pope Urban's own creature, and by his special appointment placed over Anselm, at his own intreaty, as a supervisor to exercise his obedience; whose injunctions had so much power over him, that "if he placed him in his bed, he would not only not rise without his command, but not so much as turn himself from one side to another"—"*ut cum cubili locasset, non solum sine præcepto ejus non surgeret sed nec latus inverteret*[c]." What marvel is it, if the ancient liberties of the English Church went first to wrack in Anselm's days, about the year of our Lord 1100 (for he died anno 1109), who being a stranger primate had so totally rendered up his own reason to the Pope's creature? Yet this Eadmerus saith of Lanfranc, "His wisdom recovered other customs, which the

[b] Bernard., De Concil. [adv. Eugen. Papam], lib. i. [ap. Goldast., Monarch. S. Rom. Imp., tom. ii. p. 70.]

[c] Malmesb., De Gest. Pontif. Anglor., lib. ii. p. [229.]

kings of England by their munificence had granted to the Church of Canterbury in ancient times, and established them for ever by their sacred decrees, that it might be most free in all things[d]." All external exemption and coaction is political, and proceedeth originally from the sovereign prince. Discourse IV.

This is that which St. Paul teacheth us,—"The weapons of our warfare are not carnal." The weapons of the Church are spiritual, not worldly, not external; but citations, and compulsories, and *Significavits*, and writs *ad excommunicatum capiendum* (which are not written by the Bishop's own hand, yet at his beck), and apparitors, and jailers, &c., are weapons of this world, and tend to external coaction. For all which the Church is beholden to the civil power, to whom alone external coaction doth properly and originally belong. This is that which St. Chrysostom observed, in his comparison between a Bishop and a shepherd;—"It is not lawful to cure men with so great authority as the shepherd cureth his sheep; for it is free" for the shepherd "to bind his sheep, to drive them from their meat, to burn them, to cut them;" but in case of the Bishop, "the faculty of curing consisteth not in him who administereth the physic, but in him that is sick," &c.[e] St. Chrysostom speaketh of power purely spiritual, which extendeth itself no further than the court of conscience, where no man can be cured against his will; but sovereign princes have found it expedient, for the good both of the Church and of the commonwealth, to strengthen the Bishop's hands by imparting some of their political authority to him; from whose gracious indulgence all that external coactive power which Bishops have, doth proceed. [2 Cor. x. 4.]

Now to apply this to our purpose. Wheresoever our laws do deny all spiritual jurisdiction to the Pope in England, it is in that sense that we call the exterior court of the Church the spiritual court. They do not intend at all to deprive him of the power of the Keys, or of any spiritual power that was bequeathed unto him by Christ or by His Apostles, when he is able to prove his legacy. Yea, even in relation to England itself, our Parliaments never did pretend to any power to change or abridge Divine right. [It is this power only of which we have deprived the Pope in England.]

[d] Eadmer., [Hist. Nov.] lib. [i.] p. [9].

[e] Chrys., De Sacerdot., lib. ii. [Op. tom. vi. p. 9. ll. 34—37, &c.]

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Thus much our very proviso in the body of our law doth testify, that "it was no part of our meaning to vary from the articles of the Catholic Faith in any thing, nor to vary from the Church of Christ in any other thing, declared by the Holy Scripture and the Word of God necessary to salvation[f]." If we have taken away any thing that is of Divine right, it was retracted before it was done. Then followeth the true scope of our Reformation,—"Only to make an ordinance by policies necessary and convenient to repress vice and for good conservation of the realm in peace, unity, and tranquillity, from ravine and spoil, insuing much the ancient customs of this realm in that behalf[g]." That which professed itself a 'political ordinance' doth not meddle with spiritual jurisdiction. If it had meddled with spiritual jurisdiction at all, it had not "insued the ancient customs of the realm of England."

In sum, that external Papal power which we rejected and cast out, and which only we cast out, is the same which the English Bishops advised Anselm to renounce, when it was attempted to be obtruded upon the kingdom;—"But know, that all the kingdom complaineth against thee, that thou endeavourest to take away from our common master the flowers of his imperial Crown; whosoever takes away the customs which pertain to his royal dignity, doth take away his Crown and government together; for we prove that one cannot be decently had without the other: but, we beseech thee, consider, and cast away thy obedience to that Urban, who cannot help thee if the king be offended, nor hurt thee if the king be pacified; shake off the yoke of subjection, and freely, as it becomes an Archbishop of Canterbury, in all thy actions expect the king's pleasure and commands[h]."

Whatsoever power our laws did divest the Pope of, they invested the king with it[i]; but they never invested the king with any spiritual power or jurisdiction, witness the injunctions of Queen Elizabeth[k], witness the public Articles of our Church[l], witness the professions of King James[m],

[f] 25 Hen. VIII. [c. 21. § 19.] "An Act for Exoneration, &c."

[g] [Ibid.]

[h] Eadmer., [Hist. Nov.,] lib. i. p. [58.]

[i] 1 Eliz., [c.] 1. [§ 17.]

[k] [In fine, in Bp. Sparrow's Collection of Articles, &c.]

[l] [Art. 37.]

[m] [Viz. in his Apol. pro Juram. Fidel., pp. 47, &c.]

witness all our statutes themselves, wherein all the parts of Papal power are enumerated which are taken away— his "encroachments," his "usurpations," his "oaths," his "collations, provisions, pensions, tenths, first-fruits, reservations, palls, unions, commendams, exemptions, dispensations" of all kinds, "confirmations, licences, faculties, suspensions, appeals[n]," and God knoweth how many pecuniary artifices more;—but of them all there is not one that concerneth jurisdiction purely spiritual, or which is an essential right of the power of the Keys; they are all branches of the external regiment of the Church; the greater part of them usurped from the Crown; sundry of them from Bishops; and some found out by the Popes themselves, as the payment for palls, which was nothing in St. Gregory's time but a free gift or liberality or bounty, free from imposition and exaction[o].

Discourse IV.

Lastly, consider the grounds of all our grievances, expressed frequently in our laws, and in other writers, "the disinheriting of the prince and Peers, the destruction and annullation of the laws and the prerogative royal, the vexation of the king's liege people, the impoverishing of the subjects, the draining of the kingdom of its treasure, the decay of hospitality, the disservice of God, and filling the churches of England with foreigners, the excluding temporal kings and princes out of their dominions, the subjecting of the realm to spoil and ravine, gross simoniacal contracts, sacrilege, grievous and intolerable oppressions and extortions[p]." Jurisdiction purely spiritual doth neither "disinherit the prince" nor "the Peers," nor "destroy and annul the laws and prerogative royal," nor "vex the king's liege people," nor "impoverish the subject," nor "drain the kingdom of its treasures," nor "fill the churches with foreigners," nor "exclude temporal kings out of their dominions," nor "subject the realm to spoil and ravine." Authority purely spiri-
141 tual is not guilty of the "decay of hospitality," or "disservice of Almighty God," or "simony," or "sacrilege," or "oppressions and extortions." No, no; it is the external regiment

[n] [Above, in c. 4. pp. 396-398.]

[o] [Greg. M., Epist., lib. v. Ep. 57. Op. tom. ii. p. 788. E.: et can. 6. Concil. Roman. (A.D. 595), in Append. num. v., ibid. p. 1290. B.]

[p] [See Just Vindic., c. vi. vol. i. pp. 180—192, 194, 195.]

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of the Church by new Roman laws and mandates, by new Roman sentences and judgments, by new Roman pardons and dispensations, by new Roman synods and oaths of fidelity, by new Roman Bishops and clerks; it is your new Roman tenths, and first-fruits, and provisions, and reservations, and pardons, and indulgences, and the rest of those "horrible mischiefs and damnable customs[q]," that are apparently guilty of all these evils. These Papal innovations we have taken away indeed, and deservedly, having shewed the express time and place and person, when and where and by whom, every one of them was first introduced into England. And we have restored to every bird his own feather, to the king his political supremacy, to the Peers their patronages, to the Bishops that jurisdiction which was due to them, either by Divine right or human right. More than these innovations we have taken nothing away, that I know of. Or rather it is not we, nor Henry the Eighth, who did take these innovations away; but our ancestors, by their laws, three, four, five hundred years old, so soon as they began to sprout out, or indeed before they were well formed, as their statutes yet extant do evidence to the world. But that filth which they swept out at the fore-door, the Roman emissaries brought in again at the back door. All our part or share of this work was to confirm what our ancestors had done.

I see no reason why I might not conclude my discourse upon this subject (*mutatis mutandis*) with as much confidence as Sanders did his Visible Monarchy,—"*Quisquis jurabit, per Viventem in æternum*[r]," &c.—"Whosoever shall swear, by Him that liveth for ever," that the Church of England is not schismatical in respect of any branches of Papal power, which she hath cast out at the Reformation, he shall not forswear himself. But wagers and oaths and protestations are commonly the arguments of such as have got the wrong end of the staff.

[An apostrophe to the Romanists in England.]

I will shut up this long discourse concerning Henry the Eighth's reformation, with a short apostrophe to my countrymen of the Roman communion in England.

They have been taught, that it is we who apostate from

[q] [6 Hen. IV. c. 1.]

[r] [Sander., Visib. Monarch., lib. viii. c. 49. p. 762. Wirceburg. 1592.]

the Faith of our ancestors in this point of the Papacy; that it is we who renounce the universal and perpetual tradition of the Christian world: whereas it is we who maintain ancient Apostolical tradition against their upstart innovations; whereas it is we who do propugn the cause of our ancestors against the Court of Rome. If our ancestors were Catholic in this cause, we cannot be schismatical. Let them take heed, lest, whilst they fly out of a panical fear from a supposed schism, they do not plunge themselves over head and ears into real schism. Let them choose, whether they will join with their ancestors in this cause, or with the Court of Rome; for with both they cannot join. If true English blood run in their veins, they cannot be long deliberating about that which their ancestors, even all the orders of the kingdom, voted unanimously,—"That they would stand by their king, and maintain the rights of his imperial crown, against the usurpations of the Roman Court[s]." DISCOURSE IV.

I have represented clearly to you the true controversy between the Church and kingdom of England and the Court of Rome concerning Papal power, not as it is stated by private writers, but in our English laws, a glass that cannot deceive us, for so far as to let us see the right difference. Let them quit these gross usurpations; why should they be more ashamed to restore our just rights, than they were to plunder us of them? Let them distinguish between jurisdiction purely spiritual, and jurisdiction in the exterior court, which for the much greatest part of it is political; between the power of the sword, which belongeth to the civil sovereign and not to the Church, further than he hath been graciously pleased to communicate it; between that obedience which proceedeth from fear of "wrath," or from fear of God's "revenger to execute wrath" (that is, the sovereign prince), and that obedience which proceedeth merely from "conscience:" and then there is hope we may come to understand one another better. Rom. xiii. [4, 5.]

It is true, there are other differences between us; but this is the main difference, which giveth denomination to the parties; and when they come to press those differences, they may come to have such another account as they have now.

[s] 16 Rich. II. c. [5. §] 4.

PART I. The wider the hole groweth in the middle of the millstone, men see clearer through it. "*Dies Diei eructat verbum, et nox nocti indicat scientiam.*" The latter day is the scholar of the former. 342

[Ps. xix. 2. Vulg.]

CHAPTER THE TENTH.

[Mr. Serjeant's arguments by this time shrunk into nothing.]

By this time we see that Mr. Serjeant's great 'dispatch' will prove but a sleeveless errand, and that this his "first movership in the Church [t]," which he thought should have borne down all before it, is an unsignificant expression, and altogether impertinent to the true controversy between them and us. Unless, as Dido did encompass the whole circuit of Carthage with a bull's hide by her art, so he within his "first movership" can comprehend the patronage of the English Church, and the right to convocate and dissolve and confirm English synods, and to invalidate old oaths, and to impose new oaths of allegiance, and to receive tenths and first-fruits, and all legislative, judiciary, and dispensative power coactively in the exterior court of the Church over English subjects. He cannot plead any charter from England; we never made any such grant: and although we had, yet, considering how infinitely prejudicial it is to the public tranquillity of the kingdom, we might and ought more advisedly to retract what we unadvisedly once resolved. And for prescription he is so far to seek, that there is a clear prescription of eleven hundred years against him. So there is nothing remaineth for him to stick to, but his empty pretence of Divine right, which is more ridiculous than all the rest; to claim a Divine right of such a sovereign power, which doth branch itself into so many particulars, after eleven hundred years, which for so many ages had never been acknowledged, never practised in the English Church either in whole or in part. We cannot believe that the whole Christian world were mole-eyed, or did sit in darkness, for so many centuries of years; until Pope Hildebrand and

[t] [Down-Derry, p. 307.—Schism Dispatched, sect. 1. p. 481.]

Pope Paschalis did start up, like two new lights, with their weapons in their hands, to thump princes and knock them into a right Catholic belief. DISCOURSE IV.

And indeed this answer to his pretended demonstration, by a real demonstration where the true controversy doth lie, and who are the true innovators, doth virtually answer whatsoever he hath said. So I might justly stop here and suspend my former pains, but that I have a great mind to try if I can find out one of those many "falsifications," and "contradictions," which he would make us believe he hath espied in my discourse, if it be not the deception of his sight.

First he telleth us, that our "best champions do grant, that our Faith and its grounds are but probable[u]." Our Faith not only probable.

Surely he did write this between sleeping and waking, when he could not well distinguish between necessary points of Faith, and indifferent opinions concerning points of Faith; or, to use Cajetan's expression, between "*determinare de Fide formaliter*" and "*determinare de eo quod est Fidei materialiter*[x]"—between points of Faith necessary to be believed, and such questions as do sometimes happen in things to be believed. As for essentials of Faith, the pillars of the earth are not founded more firmly, than our belief upon that undoubted rule of Vincentius,—"*Quicquid ubique, semper, et ab omnibus,*" &c. Whatsoever we believe as an article of our Faith, we have for it the testimony and approbation of the whole Christian world of all ages, and therein the Church of Rome itself. But they have no such perpetual or universal tradition for their twelve new articles of Pope Pius. This objection would have become me much better than him. Whatsoever we believe, they believe, and all the Christian world of all places and all ages doth now believe, and ever did believe; except condemned heretics. But they endeavour to obtrude new essentials of Faith upon the Christian world, which have no such perpetual, no such universal tradition. He that accuseth another, should have an eye to himself.

"Does not all the world see, that the Church of England stands now otherwise in order to the Church of Rome, than it did in Henry the Seventh's days?" He addeth further,

[u] [Schism Dispatched, sect. 1. p. 479.]

[x] [De Authoritate Papæ et Concil., c. 14.]

PART I.

that "it is confessed that the Papal power in ecclesiastical affairs was cast out of England in Henry the Eighth's days[y]."

I answer, that there was no mutation concerning Faith, nor concerning any legacy which Christ left to His Church, nor concerning the power of the Keys, or any jurisdiction purely spiritual; but concerning coactive power in the exterior court, concerning the political or external regiment of the Church, concerning the patronage or civil sovereignty over the Church of England, and the legislative, judiciary, and dispensative power of the Pope in England over English subjects; which was no more than a "reinfranchisement" of ourselves from the upstart "usurpations" of the Court of Rome, of all which I have shewed him expressly the first source, who began them, when, and where[z]; before which he is not able to give one instance of any such practices attempted by the Bishop of Rome and admitted by the Church of England. 34

Who it is that "looks asquint" or "awry[a]" upon the true case in controversy between us, let the ingenuous reader judge. I do not deny, nor ever did deny, but that there was a real separation made, yea, made by us from their usurpations; but I both did deny and do deny, that there was any separation made by us from "the institution of Christ," or from "the principles of Christian unity[b]." This separation was made long since by themselves, when they first introduced those novelties into the Church; and this separation of theirs from the pure primitive doctrine and discipline of the Church doth acquit us, and render them guilty of the schism before God and man.

And therefore it is a vain and impertinent allegation of him to tell us, that "governors may lawfully declare themselves publicly and solemnly against the renouncers of their authority" by "excommunication[c];" unless he could shew, that the Bishop of Rome hath such an absolute sovereignty over us as he imagineth, extending itself to all those acts which are in controversy between us; and that in the exercise of the power of the Keys, they proceeded duly in a legal

[y] [Ibid. p. 480; from Hammond, Of Schism, c. 7. § 2. (Works, vol. i. p. 523. Lond. 1684).]

[z] [See above, cc. 4-9.]

[a] [Schism Dispatched, sect. 1. pp. 481, 482.]

[b] [Ibid., p. 483.]

[c] [Ibid.]

manner; and, especially, that they did not mistake their own usurpation for the "institution of Christ," as we affirm and know they did. DISCOURSE IV.

His whole discourse about "immediate tradition," is a bundle of uncertain presumptions and vain suppositions. An answer to Mr. Serjeant concerning immediate tradition.

First, he supposeth, that his "rule of so vast a multitude of eye-witnesses of visible things [d]," is uniform and universal: but he is quite mistaken; the practice was different. The Papalins made laws for their usurpations, and the three orders of the kingdom of England made laws against them. To whom in probability should our ancestors adhere, to their own patriots, or to strangers?

Secondly, he presumeth, that this uniform practice of his ancestors was invariable without any shadow of change [e]; but it was nothing less. First investitures were in the Crown, and an oath of fidelity made to the king without any scruple, even by Lanfranc and Anselm both strangers [f]. Afterwards the investitures were decried as profane, and the oath of fidelity forbidden [g]. Next a new oath of allegiance was devised, of clergymen to the Pope; first only for Archbishops, then for all prelates; and this oath at first was moderate—"to observe the rules of the Holy Fathers," but shortly after more tyrannous—"to maintain the royalties of Saint Peter," as their own pontificals, the old and the new, do witness [h]. First when they took away investitures from the Crown, they were all for "free elections," but shortly after there was nothing to be heard of but "provisions," and such simoniacal arts. It is as easy to shape a coat for the moon, which altereth every day, as to fit one constant tradition to all these diversified practices.

Thirdly, he supposeth, that all parents have judgment, to understand aright what they see, and to penetrate into the secret cabals and practices of their times; and ingenuity, void of self-interest, to relate it rightly to their posterity [i]: but herein also he will fall much short of his aim. Most parents know what is acted publicly; but they know little what is done in the retiring room. They know who is their Bishop;

[d] [Ibid., p. 484.]
[e] [Ibid.]
[f] [See above c. 5. p. 406.]
[g] [See above, ibid. pp. 404, 405.]
[h] [See above, c. 5. pp. 417—420.]
[i] [Schism Dispatched, sect. 1. p. 484. See also in the first divis. of the book, Pt. i. sect. 12. pp. 119, 120.]

PART I. but who invested him, what oaths he hath made, they are to seek. Most parents see a Bishop sit in his consistory; but by what authority he sits, whether merely by the power of the Keys, or partly by concession of the sovereign prince, they know nothing. What do they understand of any distinction between jurisdiction spiritual and ecclesiastical and political? What leg[ions[k]] of fopperies have been brought into the Church by this oral tradition and the credulity of parents! And if all parents had judgment to understand these things, yet who shall secure us that they are void of self-interest? The philosopher found, that all the people forsook him so soon as the market-bell began to ring.

Lastly, he supposeth one constant succession of truth upon 344
this "tenor" or "method[l]" throughout many ages. Why do we hear words, when we see deeds? We see them change daily; if they had not changed, we had had no need to leave their company. I have shewed him when, and where, and by whom, all these changes, wherein they and we differ concerning discipline, did come into the Church of England; at least all those, which made the breach between us. Immediate oral tradition, without any further corroboration, is but a toy: perpetual and universal tradition is an undeniable evidence; or so universal for time and place, that the opposers have been censured in a manner universally for heretics or heterodox. In a chain, if one link be loose, or have a notorious crack or flaw, there is little trust to be reposed in it. Then what credit is to be given to the pretended chain of tradition, where the eleven first links are altogether divided from the rest, and fastened to the hand of the sovereign prince, beyond the Pope's reach? The four next links are full of cracks and flaws, the Pope pulling at the one end, and the prince holding at the other. The last link of all, in England, is put again into the hand of the prince. Where so many centuries are wanting, he is like but to maintain a poor tradition. All this while I speak only of the external regiment of the Church.

But it is a wonder to me, why he of all others should so much magnify this medium of "immediate tradition," as an

[k] ["Legends" in all the editions.] [l] [Schism Dispatched, sect. 1. p. 484.]

infallible rule: for if I be not misinformed by some friends, his fathers chalked out another way to him by their examples and instructions, to hold himself in the communion of the Church of England [m]. But let that pass as not much material. If he reduce his argument into any form, he will quickly find that it halteth on both sides. 'Whatsoever we received by immediate tradition from our fathers as the legacy of Christ, is infallibly true; but we received those points of discipline, wherein we differ, by immediate tradition from our fathers as the legacies of Christ.' I deny both his propositions; my reasons he will find formerly at large. DISCOURSE IV.

I charged him for making two distinct rules of unity, whereas one would have served his turn; "that he might have more opportunity to shuffle the later usurpations of the Popes into the ancient discipline of the Church [n]." For this I am lashed, as a man that "cannot or will not write common sense [o]," with a deal of such poor stuff not worth repeating. Cannot a man abandon his religion, unless he abandon his civility also? He might remember that I had the honour to be a Doctor in the University, I think as soon as he was a school-boy in the country. And his two rules of unity.

The first part of my charge is confessed by himself, that his "first principle" doth "also include the truth of the second [p]." If his second principle be comprehended in the first, then it is no new distinct principle, but either an inference or a tautology. But let him carve and mince his principles into shreds if he please, rather than I will draw the saw of contention about 'the dream of a shadow.' To the second part of my charge he answereth, that neither I, nor "any man else, can instance of any usurpation which did ever come in, either in secular or ecclesiastical government, pretending that tenor, or could come in so long as men adhered to that method [q]." Doth not he "pretend to that tenor?" Or, indeed, taketh it for granted, and would make us believe they do "adhere to that method." If they do not, his demonstration doth not weigh a grain.

[m] [See above in the prelimin. chapter, p. 358. note j.]

[n] [Reply to S. W. sect. 1; above p. 287.]

[o] [Schism Dispatched, sect. 1. p. 485.]

[p] [Down-Derry, at the end of] Schism Disarmed, p. 308.

[q] Schism Dispatched, [sect. 1.] p. 484.

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Yet I have shewed him heaps of usurpations, more perhaps than he is desirous to see. Some men have made the Pope infallible in point of Faith formerly; but he is the first that ever made him uncapable of usurping, and I think will be the last: if he can persuade us with reason to be thus mad, he deserveth to have his head stroked. Go, go, Mr. Serjeant, learn better; there are more ways of erring in point of tradition either real or supposed, than "the conspiracy of a world of fathers, to tell a world of children this lie, that ten years ago they practised that which all the world besides knoweth they did not practise[r]." Of all men jugglers pretend most to perspicuous evidence.

[Mr. Serjeant's indefinite generalities.]

I was contented to admit both his rules in general, to try what use he could make of them against us; but whether I use sharpness or blandishments, he is still waspish;—"See, reader, the right Protestant method, which is to bring the controversy from a determinate state to indetermination and confusion[s];" I fear he will rather dislike my being too 345
distinct and particular. I have shewed him expressly what branches of Papal power we have altogether rejected, and what we are not unwilling to acknowledge, for peace' sake, if that would content him; which is more than he hath done hitherto, as much as he will do, and I fear more than he dare do; they are not free from their jealousies and dissensions at home among themselves. Hitherto he hath not adventured to let us know, into what Church he himself resolveth his faith; whether the 'virtual' Church, that is, the Pope; or the 'representative' Church, that is, a general Council; or the 'essential' Church, that is, the whole multitude of believers, whose approbation is their reception. And in this very paragraph he hath one passage, that pointeth at the last opinion, making "the consent of Catholic fathers, immediately attesting that they received this doctrine from their forefathers," to be "the infallible voice of the Church[t]."

At other times he maketh "the extent" of Papal power to be a matter of indifferency, wherein every Church is free to hold their own opinions[u]. In his rule of discipline, he maketh St. Peter only to be "the head, the chief, the prince

[r] S. D. [ibid.,] p. 484.
[s] S. D. [ibid.,] p. 485.
[t] S. D. [ibid.,] p. 486.
[u] S. D. [ibid., pp. 501, 502.]

of the Apostles, the first mover in the Church[x];" all which in a right sense we approve, or do not oppose. Why doth he not acknowledge him to be a visible monarch, an absolute sovereign, invested with a plenitude of power, sovereign, legislative, judiciary, dispensative? All the rest of the Apostles were "first movers in the Church," even as well as St. Peter (except only his 'primacy of order,' which we allow). When your men come to answer this, they feign the Apostles were all equal in relation to Christian people, but not in relation to one another[y]. Yes, even in relation to themselves and one another; as hath been expressly declared long since in the first general Council of Ephesus, not now to be contradicted by them;—"*Petrus et Johannes æqualis sunt ad alterutrum dignitatis*"—"Peter and John were of equal dignity one towards another[z]." A 'primacy of order' may consist with an equality of dignity; but a supremacy of power taketh away all parity,—'*Par in parem non habet potestatem.*' He is blind who doth not see in the history of the Acts of the Apostles, that the supremacy or sovereignty of power did not rest in the person of any one single Apostle, but in the Apostolical College.

These indefinite generalities he styleth "determinate points[a]." It may be 'determinate' for the general truth; but indeterminate for the particular manner, about which all the controversy is. Yet he, who never wanteth "demonstrative" arguments to prove what he listeth, will make it "evident out of the very word reformation, which" we "own and extol[b]," that we have broken the rule of unity in discipline. If he do, he hath good luck; for by the same reason he may prove, that all the Councils of the Christian world, both general and provincial, have broken the "bond of unity," by "owning and extolling the very word reformation," both name and thing.

As for the points of our Reformation, I do not "refer"

[x] [Ibid., p. 401.]

[y] [Bellarm., De Roman. Pontif., lib. i. c. 12, Op. tom. i. p. 656. C.]

[z] Epist. Concil. Ephes. [A. D. 431.] ad Nestor., [ap. Concil.,] tom. i. p. [536.] edit. Pet. Crabb. [tom. iii. p. 400. E. ed. Labb. It is an Epistle of Cyril and the Synod of Alexandria to Nestorius; not of the Œcumen. Council of Ephesus, as Crabbe supposed. See Labbé's note, pp. 409, 410. See also Just Vindic., c. v. vol. i. p. 153. note k.]

[a] [Schism Dispatched, sect. 1. p. 486.]

[b] [Ibid.]

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him to "Platonical ideas, to be found in the concave of the moon[c];" but to our laws and statutes, made by all the orders of our kingdom, Church, and commonwealth; not as they are wrested by the tongues and pens of our adversaries (malice may be a good informer, but a bad judge), but as they are expounded by the genuine and orthodox sons of the English Church; by our princes, by our synods, by our subsequent Parliaments, by our theologians, by our most judicious lawyers; in their injunctions, in their acts, in their canons, in their writings; which he may meet with, if he have such a mind in earnest, without any great search, in every library or stationer's shop.

CHAPTER THE ELEVENTH.

The Creed is the old rule of Faith.

We do not suffer any man "to reject" the Thirty-nine Articles of the Church of England "at his pleasure[d];" yet neither do we look upon them as essentials of saving Faith, or "legacies of Christ and of His Apostles;" but in a mean, as pious opinions fitted for the preservation of unity: neither do we oblige any man to believe them, but only not to contradict them. Yet neither "is the Bishop got into a wood," nor "leaveth his reader in another, further from knowing what these doctrines" of saving Faith "are, than he was at first[e]." It is Mr. Serjeant's eyesight that fails him, through too much light, which maketh him mistake his ancient Creed for a wood, and the Articles for trees (persons who are 346
goggle-eyed seldom see well), wherein all things necessary to be believed are comprehended. And although he inquire, where are "the Processions of the Divine Persons, the Sacraments, Baptism of children, the government of the Church, the acknowledging there is such a thing as Scripture[f]," to be found in the Creed; the Bishop is so far from being "gravelled[f]" with such doughty questions, that he pitieth his simplicity; and returneth him for answer, that if he be not mope-ey'd he may find the Procession of the Divine Persons in his Creed; that the Sacraments and discipline of the

[c] [Ibid.]
[d] [Ibid.]
[e] [Ibid., p. 487.]
[f] S. D. [ibid.] p. 487.

Church are not to be reckoned among the '*credenda*' or things to be believed, but among the '*agenda*' or things to be acted; and the Holy Scripture is not a particular doctrine or point of Faith, but the rule wherein and whereby all fundamental doctrines or points of Faith are comprehended and tried. So still this truth remaineth unshaken, that the Creed is a summary of all particular points of saving Faith, which are necessary to be believed.

He proceedeth, that "the Protestants have introduced into the Church since the Reformation no particular form of government, instead of that they renounced[g]." [We have retained the old form of government.]

A grievous accusation! We had no need to introduce new forms, having preserved the old. They who do only weed a garden, have no need to set new plants. We have the primitive discipline of the Church, and neither want spiritual, nor ecclesiastical, nor political government. If you have any thing to say against it, cough out and spare not. And although we want such a free and general communion with the Christian world as we could wish, and such as Bishops had one with another by their "Formed Letters[h];" yet we have it in our desires; and that we have it not actually, it is principally your faults, who make your usurpations to be conditions of your communion.

And so I leave him, declaiming against "libraries of books filled with dead words," and "thousands of volumes scarcely to be examined" in a man's "whole life-time[i]," and quibbling about "forefathers," and "inheriting," and "Reformation," and "Manasseh Ben Israel[k]," and repeating the same things over and over again, as if no man did understand him who did not hear him say over the same things a hundred times.

He chargeth me, that having granted that they and we do "both maintain" his "rule of unity," yet I "do immediately disgrace" it "by adding, that the question is only who have changed that doctrine or this discipline, we or they; we by substraction or they by addition: which is as much as to say the pretended rule is no rule at all[l]." [The Church of Rome inconsistent, not the author.]

When he and his "merry stationer" were set upon the

[g] S. D. [ibid.]
[h] ["Litteræ Formatæ." See Bingh., Orig. Eccl., bk. ii. c. 4. § 5.]
[i] [Schism Dispatched, sect. 1. p. 488.]
[k] [Ibid., pp. 488, 489.]
[l] [Ibid., p. 490.]

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pin of making "contradictions," doubtless this was dubbed a famous "contradiction" or an "absurdity" at least. As if a man might not hold one thing in his judgment, and pursue another in his practice; profess one thing in words, and perform another in deeds.

"Video meliora proboque, deteriora sequor[m]"—

Medea 'saw that which was right and approved it;' but swerved altogether from it in her practice. "They profess" (saith St. Paul) "that they know God, but in works they deny Him." The Church of Rome professeth in words to add nothing to the "legacies of Christ and His Apostles;" but in their deeds they do add, and add notoriously,—as the universality of the Roman Church, the doctrines of Purgatory, of Indulgences, of Worshipping of images, and the rest of their new essentials of Faith, "*extra quas nemo salvus esse potest*" (saith Pope Pius)—"without the belief of which no man can be saved[n]." Then no man was saved for a thousand years after Christ. If there be the least print of a "contradiction" here, it is not in my discourse, but between their own principles and their practice.

Tit. i. 16.

[The Apostles' Creed the foundation of Faith.]

He taunteth me sufficiently for making the Apostles' Creed a summary of all things necessary to be believed by all Christians, calling it "the wildest topic that ever came from a rational head," and would gladly persuade us that it was only an act of prudence, to keep out heterogeneous persons in that present age, which was to be enlarged as often as new heresies did arise[o]. I pity the young man, who is no better acquainted with that value which both the ancient Fathers and his own doctors set upon the Creed. Whilst he thinketh to confute me, he is ignorantly condemning all them. He condemneth the Fathers,—who made it to be "the one only immovable and irreformable rule of Faith[p]"—"the sum of the whole Catholic Faith[q]"—"the key" of the Christian Faith[r]—"the rule or square of the Apostolical sermons"

[m] [Ovid., Metamorph., vii. 20, 21.]

[n] [Bull. Pii IV. in Act. Concil. Trident., ap. Labb., Concil., tom. xiv. p. 946. B.]

[o] [Schism Dispatched, sect. 1. p. 491; from Reply to S. W., sect. 1, above, p. 288.]

[p] Tertull., De Virg. [Veland.], c. i. [Op. p. 192. B. See also De Præscript. adv. Hæret. cc. 13, 14. Op. pp. 235. D, 236. A.]

[q] Clement. Roman., Epist. 1. ad Frat. Domini; [ap. Labb., Concil., tom. i. p. 89. D; spurious.]

[r] [Pseudo] Ambros., Serm. xxxviii. [vet. edit.—xxxiii. § 5, 6. inter Op. Ambros. tom. ii. in Append. p. 435. F. ed. Bened.]

(after the composition of it), wherein the Apostles of the
347 Lord have "collected into one breviary" all the points of the Catholic Faith which are diffused throughout the Scriptures[s]. He condemneth his own authors,—who acknowledge it to be "a short comprehension or summary of all things to be believed[t]." Bellarmine saith it "containeth the sum of the Gospel[u];" and more plainly, "There is extant that most ancient Symbol which is called the Creed of the Apostles, because the Apostles composed it to this end, that it might be agreed among all men what was the sum of the whole Christian Faith[x];" whereof he produceth witnesses, St. Ambrose[y], St. Hierom[z], St. Austin[a], Maximus[b]; adding, that "in the Creed (although briefly) is contained in a summary the whole object of Faith[c];" according to that of St. Austin, "the Creed is a simple, short, full comprehension of our Faith, that the simplicity may provide for the rudeness of the hearers, the shortness for their memory, and the fulness for their doctrine[d]:" and elsewhere he telleth us, that "all Catholics do confess, that it is the unwritten word of God[e]." So there is

[s] August., Serm. clxxxi. De Temp. [secund. vett. editt.—Serm. De Symb. Op. tom. vi. in Append. pp. 278. E, F. 279. A. (not Augustin's according to the Bened. editors). See also August., De Fide et Symb. c. 1. Op. tom. vi. p. 151. B; De Symb. ad Catechum. c. 1. ibid. p. 547. B; et Pseudo-August., Serm. ccxlii. § 1. in Append. ad August. Op. tom. v. p. 397. B.—Athanas., Interpret. in Symb., in fin., Op. tom. i. P. ii. p. 1279. B.—Greg. Naz., Orat. lii. init., Op. tom. i. pp. 745. D, 746. A. Paris. 1609. —Cyril. Hieros., Cateches. v. c. 12, Op. p. 78. C, D. Paris. 1720.—Cyril. Alexand., Epist. ad Joann. Antioch., citat. à Marco Ephesio in Concil. Florent. Sess. v. (Labb., Concil., tom. xiii. p. 71. B.)—Epiphan., Ancorat., seu Expos. Fid. Catholi., § 119, 120. Op. tom. ii. pp. 122. C, 123. B. ed. Petav.—Hilar. Pictav., Ad Constant. August., Op. p. 118. 2. B. Paris. 1572.—Leo, Ep. xxvii. c. 4, Op. tom. i. pp. 491, 492. ed. Quesn.—and others cited by Potter, Answ. to Charity Mistaken, sect. 7. § 2. p. 227—232. See also King, Crit. Hist. of the Creed, c. 1. init.]

[t] Canis., [Opus] Catechist., [c. i. De Fide et Symb., § 5. in tit.]

[u] Bellarm., De Justific., lib. iv. c. 2. [Op. tom. iii. p. 1173. A.]

[x] [Id.,] ibid., lib. i. c. 9. [Ibid. p. 955. B.]

[y] [Ambros., Ep. 81. Ad Siric. (ed. Erasm.—Ep. 42. Op. tom. ii. p. 967. B. ed. Bened.); quoted by Bellarm. (as are also the three Fathers next mentioned) to prove that the Apostles composed the Creed themselves.]

[z] [Hieron., Ad Pammach., Ep. 61. (secund. vett. editt.—Ep. 38, Op. tom. iv. P. ii. p. 323. ed. Bened.).]

[a] August., ibid. [scil. Serm. cxv. De Temp. (secund. vett. editt.—Serm. ccxli. in Append. ad tom. v. pp. 395. G, 396. A. ed. Bened.).]

[b] [Maxim. Taurin., Homil. De Tradit. Symbol. (init., in Biblioth. Patr., tom. v. P. i. p. 39. G.).]

[c] [Bellarm., as quoted in note x, C.]

[d] [Id., ibid.; from August., Serm. cxv. et cxix. De Temp. (secund. vett. editt.—Serm. ccxli. § 1. in Append. ad tom. v. p. 395. F. G. not Augustin's; and Serm. ccxiii. § 1. Op. tom. v. p. 938. F. ed. Bened.).]

[e] [Id.,] De Sacram. Euchar., lib. iii. c. 6. [Op. tom. ii. p. 690. A. See also] Concil. Trident. Sess. iii. [ap. Labb., Concil., tom. xiv. p. 744, A: and for a catena of other Romanists affirming the same thing, Potter as before quoted, § 2. pp. 217—219.]

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more in the Creed than a mere Shibboleth, to distinguish an Ephraimite from a Gileadite. It is "*fundamentum firmum et unicum*[f]"—not only a "firm" but an "only foundation."

[Judg. xii. 6.]

He asketh me, whether "ever Protestant did hold, there is nothing of Faith but the twelve articles in that Creed[g]?"

I do not know how I come to be obliged to answer him to so many impertinent questions; but for once I will not refuse him. Protestants do know as well as himself, that there are many things of Faith, which are necessary to be believed by some men at some times; as that St. Paul had a cloak: but there is no article or point absolutely necessary to salvation to be believed, which is not comprehended within the twelve articles of the Creed.

[2 Tim. iv. 13.]

And here he serveth us up again his twice sodden coleworts, that "the Procession of the Holy Ghost, the Baptism of infants, the Sacraments, the Scriptures," are not comprehended in the twelve articles[h].

I have but newly answered the very same objection, and here meander-like with a sudden turning he brings it in again; but I will not wrong the reader so much, as to follow him in his battologies. Only, if he think the Creed was imperfect until the word "*Filioque*" was added, he is much mistaken.

[Of additions to the Creed.]

But, saith he, "by the same logic we may accuse the Church at the time of the Nicene Council" for "pressing the word 'Consubstantial[i].'"

Pardon us, good sir; there is no analogy between the Consubstantiality of the Son with the Father, and your upstart doctrines of Indulgences and Image-worship. Indeed the *word* 'Consubstantial' was not in the Creed before the Nicene Council, but the *thing* was, and was deduced from the Creed. When the Apostles delivered the Creed to the Church, they did it by oral tradition (and this is that famous Tradition, much mentioned in the Fathers, which you do altogether misapply to the justifying of your new patches); and when they delivered the Creed, they delivered likewise the sense of the Creed, by the same tradition; and it was the most proper work in the world for those first œcume-

[f] [Concil. Trident., ibid.]
[g] [Schism Dispatched, sect. 1. p. 491.]
[h] [Ibid., and p. 487.]
[i] [Ibid.]

nical Councils, to search out and determine by tradition the right sense of the articles wherein they were delivered by the Apostles. But for us now, after fifteen or sixteen hundred years, to inquire not only into new senses of the old articles, altogether unknown to the ancients, but to find out new articles, which have no relation to the old articles, and all this by tradition,—is ridiculous. For whatsoever tradition we have, we have from former ages successively; and therefore if they had no tradition for such an article, or such a sense, we can have none. But such are all the twelve new articles added to the Creed by Pius the Fourth; not only new senses of old articles, which had been too much, but new articles newly coined, which have no relation to the old articles at all. Discourse IV.

Some things are "*de Symbolo*"—"contained in the Creed," some things are "*contra Symbolum*"—"against the Creed," and some things "*præter Symbolum*"—"besides the Creed[1]." First, for those things which are "contained in the Creed," either in the letter or in the sense, or may be deduced by good consequence from the Creed,—as the Deity of Christ, His two Natures, the Procession of the Holy Ghost,—the addition of these is properly no addition, but only an explication; yet such an explication none under a general Council can impose upon the Church. Secondly, such things as are "contrary to the Creed," are not only unlawful to be added to the Creed, but they are heretical in themselves. Thirdly, for those things which are neither of the Creed, nor contained in the Creed, either explicitly [or implicitly], nor can be de-
348 duced by good consequence from the Creed, and yet they are not contrary to the Creed, but opinions or inferior truths which may be believed or disbelieved without any great danger of heresy (of this nature are those twelve points or articles which Pius the Fourth added to the Creed),—to make these part of the Creed, and to oblige all Christians to believe them under pain of damnation, as Pius the Fourth doth,—"without which there is no salvation,"—is to change the Symbolical Apostolical Faith, and to add to the "legacy of Christ and His Apostles." Faith doth consist '*in indivisi-*

[1] [See the Answ. to La Millet. (vol. i. pp. 25, 26.), Disc. i. Pt. i.]

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bili,' and the essential parts of it cannot be contracted or enlarged.

This is that which we charge the Romanists withal, and which I see not how they will be able to shake off:—not the explication of the old articles of Faith, nor the prescribing of inferior truths as inferior truths to those who are under their jurisdiction, nor the obliging of their subjects not to oppose their determinations for peace and tranquillity's sake; but the adding of new articles or essentials to the Creed, with the same obligation that the old Apostolical articles had, to be believed under pain of damnation. Either all these twelve new articles which were added to the Creed by Pius the Fourth, were implicitly or virtually comprehended in the twelve old articles of the Apostles, and may be deduced from them by necessary consequence (the contrary whereof is evident to all men); or it is apparent, that Pius the Fourth hath corrupted the Creed, and changed the Apostolical Faith.

Our Articles no points of Faith.

He might even as well let our Thirty-nine Articles alone for old acquaintance' sake ('*Dissuenda non dissecanda est amicitia*[k]'), as to bring them upon the stage and have nothing to say against them[l]. Some of them are the very same that are contained in the Creed; some others of them are practical truths, which come not within the proper list of points or articles to be believed; lastly, some of them are pious opinions or inferior truths, which are proposed by the Church of England to all her sons, as not to be opposed; not as essentials of Faith necessary to be believed by all Christians '*necessitate medii,*' under pain of damnation. If he could charge us with this as we do them, he said something. The Nicene, Constantinopolitan, Ephesian, Chalcedonian, and Athanasian Creeds, are but explications of the Creed of the Apostles, and are still called the Apostles' Creed. He will not for shame say, that Pius the Fourth's Creed is only an explication of the Apostles' Creed; which hath twelve new distinct articles, added at the foot of the twelve old articles of the Apostles.

I do not say that "there can be no new heresy," but what

[k] [See Cic., De Offic., i. 12.]

[l] [Schism Dispatched, sect. 1. p. 491.]

is "against some point found in the Creed[m]." I know, that as there are some errors heretical in their own nature, so there are other errors which become heretical merely by the obstinacy of them who hold them. Yet, if I had said so, I had said no more than some Fathers say, and sundry of their own authors;—"*Neque ulla unquam extitit hæresis quæ non hoc Symbolo damnari potuerit*"—"There was never any heresy which might not be condemned by this Creed[n]." And so he may see clearly if he will, that it was no "incomparable strain of weakness," nor "self-contradicting absurdity," nor "nonsense[o]" (as he is pleased to vapour), to charge them with changing "the legacy of Christ and His Apostles," by the addition of new essentials of Faith.

I will conclude this point with the excellent judgment of Vincentius Lirinensis; "Peradventure some man will say, shall there be no growth of the religion of Christ in the Church? Yes, very much; . . but so that it be a *growth* of Faith, not a *change*: . . let it increase; . . but only in the same kind,—the same articles, the same sense, the same sentences: let the religion of souls imitate the manner of bodies," &c. "the members of infants are little, young men's great, yet they are the same; children have as many joints as men," &c. "but if any thing be added to or taken from the number of the members, the body must of necessity perish, or become monstrous, or be enfeebled; so it is meet that Christian religion do follow these laws of proficiency," &c.[p]

Who falsifieth the Council of Ephesus.

But now he brings a rapping accusation against me, charging me with "four falsifications in one sentence;" and then concludes triumphantly, "Go thy ways, brave Bishop; if the next Synod of Protestants do not canonise thee for an interpreter of Councils, they are false to their best interests[q]."

Who so bold as blind Bayard? Here is a great deal more cry than wool. But let us examine these great "falsifica-
349 tions." My words were these.—"The question is only, who have changed that doctrine or this discipline, we or they; we by substraction, or they by addition: the case is clear; the

[m] [Ibid., p. 492.]
[n] Catech. Trever. [not to be met with.]
[o] [Schism Dispatched, sect. 1. pp. 491—493.]
[p] [Vincent. Lirin., Commonit., pp. 308, 309. ed. Baluz. Brem. 1688.]
[q] [Schism Dispatched, sect. 1.] p. 495.

PART I. Apostles contracted this doctrine into a summary, that is, the Creed; the primitive Fathers expounded it where it did stand in need of clearer explication:"—then follow the words which he excepteth against,—"the general Council of Ephesus did forbid all men to exact any more of a Christian at his Baptismal profession[r]." It is strange indeed to find "four falsifications" in two short lines; but to find "four falsifications" where there is not one syllable cited, is altogether impossible. I relate as of myself, what the Council of Ephesus did; I cite no authority at all, neither in the text nor in the margin, nor put one word into a different character. His pen is so accustomed to overreach beyond all aim, that he cannot help it; a Scotchman would take the liberty to tell him that he is very good company.

The truth is, I did forbear to cite it, because I had cited it formerly in my answer to Monsieur Milletiére, where he might have found it if he had pleased;—"That it should be lawful for no man to publish or compose another Faith" (or Creed) "than that which was defined by the Nicene Council;" and "that whosoever should dare to compose or offer any such to any persons willing to be converted from Paganism, Judaism, or heresy, if they should be Bishops or clerks should be deposed, if laymen anathematised[s]." If he can find any "falsification" in this, let him not spare it; but to find "four falsifications," where not one word was cited, was impossible. In a word, to deal plainly with him, his four pretended falsifications are a silly, senseless, ridiculous cavil.

[The Ephesine canon explained.] To clear this, it is necessary to consider, that this word 'Faith' in Holy Scripture, Councils, and Fathers, is taken ordinarily for the object of Faith, or for the sum of things to be believed, that is, the Creed[t]; and so it is taken in this very place of the Council of Ephesus, and cannot be taken otherwise; for it is undeniable, that that Faith which was defined, published, and composed by the Nicene Fathers,

[r] [Reply to S. W. sect. 1; above, p. 288.]

[s] Concil. Ephes. [A.D. 431.] P. ii. Act. 6. c. 7. [tom. i. p. 540. ed. Crabb. —tom. iii. p. 689. A. ed. Labb.; cited in the Answ. to La Millet., vol. i. p. 25. note o.]

[t] [See Bingh., Orig. Eccl., bk. x. c. 3. § 2.—Pearson, On the Creed, p. 27. note e.—Suicer, Thesaur., sub voce πίστις, II. 2. a.]

was the Nicene Creed, or the Creed of the Apostles explicated by the Nicene Fathers. Secondly, we must consider, that the Catholic Church of Christ, from the very infancy of Christian religion, did never admit any person to Baptism in an ordinary way, but it required of them a free profession of the Creed or Symbolical Faith, either by themselves, or by their sureties if they were infants; and so did baptize them "in that Faith." This was the practice of the Apostolical Church; this was that "good profession which" Timothy "made before many witnesses;" this was the universal practice in the primitive Church, and continued ever since until this day.—"*Abrenuncias? Abrenuncio. Credis? Credo*"—"Doest thou renounce the Devil and all his works? I do renounce them. Dost thou believe in God the Father Almighty, &c.? All this I steadfastly believe. Wilt thou be baptized in this Faith? It is my desire [u]." This Baptistical profession, which he ignorantly laugheth at, is attested by Fathers, by Councils, by Liturgies, ancient and modern; even by the Liturgies of the Roman Church itself [u]. And this is the undoubted sense of this place of the Council of Ephesus, that "no man should dare to offer any other Creed to any person willing to be converted from Paganism or Judaism to Christianity," that is to say, to be baptized. Always upon Palm Sunday, such of the *Catechumeni*, as were thought fit to be admitted into the number of the "Faithful," did petition for Baptism (the anniversary time whereof did then approach); who from their joint petitioning were called "*Competentes*," and from that day forward had some assigned to expound the Creed unto them, whereof they were to make solemn profession at their Baptism; as we find by the Homilies of the Fathers upon the Creed, made to the "*Competentes* [v]."

1 Tim. vi. 12.

So we keep ourselves to the old Faith of the whole Christian world; that is, the Creed of the Apostles, explicated by the Nicene, Constantinopolitan, Ephesine, and Chalcedonian Fathers; the same which was professed by them of old at their Baptism, and is still professed by us at

[u] [See authorities in Bingh., Orig. Eccl., bk. xi. c. 8. § 8—12; and Pearson, On the Creed, p. 27. note d.]

[v] [See Bingh., Orig. Eccl., bk. x. c. 2. § 5—10; and Suicer, Thesaur., sub voce κατηχέω, B.]

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our Baptism; the same wherein all the Christian world, and themselves among the rest, were baptized. None of us all ever made any profession at our Baptisms of the universality of the Roman Church, or of the sovereign monarchical power of the Roman Bishop by Divine right, or of the doctrine of Transubstantiation, Indulgences, Image-worship, or the like. Wherefore we are resolved to adhere to that Faith, which hath been professed always, everywhere, and by all persons, and particularly both by them and us at our Baptisms, in 350
which Faith and which alone we were made Christians, without either diminution or addition of any new essentials. This was their Faith formerly, and this is ours still.

But he objecteth it is a great absurdity, that thus "the Creed defined by the Fathers in the Council of Nice, and the Apostles' Creed, according to the Bishop, are one and the same Creed [x]."

Have you found out that? Yes, indeed are they, and always have been so reputed in the Church, even in the Roman Church itself in their ancient Liturgies, which call the Nicene Creed the "Evangelical Creed," the "Creed of the Apostles," "inspired by the Lord, instituted by the Apostles [y];" and when he groweth older, he will be of the same mind.

[It saith more than the author attributed to it.]

I hope by this time he seeth, that although I did not cite the Council of Ephesus in this place, and therefore could be no falsifier of it, yet the Council of Ephesus saith more than I did in every respect. I said only the Council did "forbid;" but the Council itself goeth higher,—that "whosoever should dare." I said "forbid to exact;" but the Council itself goeth higher,—"whosoever should dare to compose, or publish, or offer." The original word is "προσφέρειν"—to "offer;" and as it is translated into Latin—'*Qui vero ausi fuerint aut componere fidem alteram, aut proferre, aut offerre*' —"Whosoever shall dare to compose, or to utter, or to offer another Faith" or Creed. One may compose or publish and not offer; one may offer and not exact; but whosoever doth exact, doth more than offer. If the Council doth forbid any man "to compose, or publish, or offer any other Creed,"

[x] [Schism Dispatched, sect. 1.] p. 495.

[y] [Ordo Roman., in Præfat. Symb. (ante Administr. Baptism.); ap. Biblioth. Patr., tom. viii. p. 415. F.]

much more doth it forbid them to exact it. Thirdly, I said "to exact any more" *than the Apostles' Creed*, as it was explicated by the Fathers, that is, concerning essentials of Faith; but the Council goeth higher,—"to compose or publish, or offer," *alteram Fidem*—"another Creed," containing either more or less, either new essentials or new explications. I said only "at our Baptismal profession:" but the Council extendeth it further; to the reconciliation of heretics, as well as the Baptism of Pagans and Jews; and generally to all occasions, not allowing any man, clergy or lay, "to compose or publish any other Creed" or form of profession. So every way the Council saith more than I said. Discourse IV.

But he saith, there is nothing in the Council of "Baptismal profession," except the bare word "*Fidem*[a]."

Well, "*Fides*" in that place signifieth the Creed, and that Creed which all Christians did profess at their Baptism, is their Baptismal profession. But that is not all; for as "*Fides*" signifies their Creed or profession of Faith, so those other words—"to any persons willing to be converted from Paganism or Judaism"—signifieth as much as who desire to be christened or to be baptized.

But he saith, "these words,—'if the proposers of another Faith be laymen, let them be excommunicated'—do make it impossible to have relation to Baptism," because the ordinary minister of Baptism is a clergyman[a].

If a sophister should have brought such an argument in the schools, he would have been hissed out for his labour. Because one part of the canon hath reference to laymen, therefore no part of it can have reference to clergymen! Just like this,—an Æthiopian's teeth are white, therefore it is impossible that any part of him should be black. Whereas the canon saith expressly the contrary,—"if they be Bishops or clerks let them be deposed, if laymen anathematized."

[Mr. Serjeant falsifieth the Council of Ephesus himself.]

But this great censurer himself doth falsify the Council of Ephesus indeed, twice in this one place. Once in omitting the word "προσφέρειν"—"to offer." Secondly where he saith, that "Charisius had made a wicked Creed[b]." It was not a "wicked Creed," but a "wicked exposition of the Creed,"

[a] [Schism Dispatched, sect. 1. p. 495.]

[a] [Ibid., p. 494.]

[b] [Ibid., p. 493.]

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which the Council condemned,—"*Depravata Symboli expositio*[e];" which was indeed produced by Charisius, but neither made by him, nor approved by him, but condemned by him as well as by the Council. Observe, reader, with what gross carelessness these great censurers do read authors, and utter their fictitious fancies with as great confidence. He would have called this forgery in another.

He saith, I charged their whole Church with "changing the ancient discipline of the Church into a sovereignty of power above general Councils," whereas I confess that it is not their universal tenet, and withal acknowledge, "that they who give such exorbitant privileges to Popes, do it with so many cautions that they signify nothing;" and then courteously asks me, whether this be "a matter deserving that Church unity should be broken for it[f]."

I charge not the Church [with erecting the Papacy as it now is] but the Pope and his party.

I do easily believe that this is one of his "merry stationer's contradictions." What pitiful cavils doth he bring for just exceptions! First, I do not "clap it upon their whole Church[g]"—that is one injury, or if I should speak in his language, 'a gross falsification,'—but upon the guilty party. Secondly, I never said, that they who "change the ancient government of the Church into a sovereignty of power," do it "with so many cautions;" but I spake expressly of them, who ascribe infallibility and temporal power over princes to the Pope: this is another injury or 'falsification.' Thirdly, how often must I tell him, that we did not disunite ourselves from their Church, but only "reenfranchise ourselves from their usurpations." Lastly, this party which advanceth the Papacy above the 'representative' Church, is no worse than their 'virtual' Church, the Pope and the Court

[e] [Concil. Ephesin. Act. vi; ap. Labb., Concil., tom. iii. p. 678. A. "Depravati Symboli expositionis exemplum:"—but it was Charisius' own Creed which was read by him: and the document condemned was the exposition of their Creed whom he accused.]

[f] [Schism Dispatched, sect. 1.] p. 496; [from Just Vindic., c. viii. vol. i. pp. 249, 256.]

[g] [Schism Dispatched, ibid.]

of Rome with all their adherents; they who have the keys in their hands; such a party as he dare not say his soul is his own against them, nor maintain the contrary,—that a general Council is above the Pope. Discourse IV.

He urgeth, that I ascribe no more to "St. Peter and the Pope" for their "first movership," but "only authority to sit first in Council or some such things[h]." "First movership."

I ascribe unto the Pope all that power, which is due unto him either by Divine right or human right, at the judgment of the Church; but I do not hold it meet, that he should be his own carver. And for St. Peter, why doth he not leave his wording of it in generals, and fall to work with arguments in particular, if he have any? We offer him a fair trial for it,—that St. Peter never enjoyed or exercised any greater or higher power in the Church than every one of the Apostles had, either extensively or intensively, either in relation to the Christian world or the Apostolical College; except only that '*primordium unitatis*' or 'primacy of order,' which he scoffeth at every where. Yet neither do we make his "first movership" void of "all activity and influence[i]," as he accuseth us. First, we know he had Apostolical power, which was the highest spiritual power upon earth,—"As My Father sent me, so send I you." Secondly, some power doth belong to a "first mover," even by the law of nature, besides 'the first seat;' as to convocate the members, to preserve order, to propose such things as are to be discussed, to receive the votes, to give the sentence, and to see it executed so far as he is trusted by the body. [John xxi.]

What the Church of England believeth of the Pope's "inheriting St. Peter's privileges;" and "the exercise of that power" before the Reformation[k]; and how the breach was made, and when; I have shewed abundantly already.

We have seen his rare skill in the discovery of a "falsification" or a "contradiction;" now let us see, if his scent be as good to find out an "absurdity." He maketh me argue thus,—"The Pope did not exercise St. Peter's power, because he exercised St. Peter's power and much more; which is as much as to say, '*totum est minus parte*,' and 'more does not [Mr. Serjeant's skill in finding out an absurdity.]

[h] [Schism Dispatched, ibid.]
[i] [Ibid.]
[k] [Ibid.,] p. 497.

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What rocks doth he mean? I hope none of the Acroceraunia. Those ridiculous things which he calls " rocks," are soapy bubbles of his own blowing. This inference is none of mine, but his own; is it not possible for this great pretender to sincerity to miss one paragraph without falsifications? Give him leave to make inferences and periphrases —'which is as much as to say,'—and Africa did never abound so much with monsters, as he will make the most rational writing in this world abound with absurdities. I desire the courteous reader to view the place, and either to pity his ignorance or detest his impudence. The words which I answered were these,—that " the Bishops of Rome actually exercised St. Peter's power in all those countries, which kept communion with the Church of Rome, that very year when this unhappy separation began[m]." My answer was, that 352
this assertion did " come far short of the truth in one respect, for the Popes exercised much more power in those countries which gave them leave, than ever St. Peter pretended to[n]." Here is no other inference but this,—the Pope " exercised more power" than " ever St. Peter pretended to," therefore this assertion—that " he exercised St. Peter's power"—" came short of the truth;" which consequence is so evident, that it can admit neither denial or doubting. What hath this to do with his " whole is less than the part, or more does not contain the less?"

Half more than the whole.

But now, suppose I had said, as he maketh me to say on his own head, that in this case " the whole is less than the part," or " more does not contain the less," what had he to carp at? Hath he never heard or read, that in morality the half is more than the whole? Hath he forgotten his Ethics, that he who swerveth from the mean or strict measure of virtue, whether it be in the excess or in the defect, is alike culpable, and cometh short of his duty? If the Pope, as successor to St. Peter, did usurp more power than St. Peter

[1] [Schism Dispatched, ibid., p. 498.]
[m] [Down-Derry, p. 307.]
[n] [Reply to S. W., sect. 1; above p. 288.]

had right to, no man in his right wits can call it the actual "exercising of St. Peter's power." DISCOURSE IV.

The second part of my answer was, that as the Pope exercised more power than was due to him in some places, where he could get leave, so in other places (no less than three parts of four of the Christian world, that is, all the Eastern, Southern, and Northern Churches,) his universal monarchy, which he claimed, was universally rejected [o]. Papal usurpations not universal.

For this I am, first, reviled. "Are moderate expressions of shamelessness sufficient to character this man?" &c. [p] If better was within, better would come out. But "*stultis thesaurus iste est in linguâ situs, ut discant male loqui melioribus.*" And then, when he hath first censured me, he attempteth to answer me, as well as he is able,—that "the Pope exercised his power over them" by "excommunicating" them as "revolters [q]." As "revolters?" In good time; they were Christians and had governors of their own, before either there was a Church of Rome, or Bishop of Rome; and never acknowledged themselves to be his subjects until this day, nor regarded his "excommunications" upon that score at all. If they were "revolters," the Apostolical age and all succeeding ages were joined in the revolt. These are his "rigorous demonstrations,"—to prove the Pope's single jurisdiction by Divine right from his own impotent actions. If the Pope have a supremacy of power by Divine right, he hath it over the world; but that we see evidently he never enjoyed from the beginning. If he did not enjoy it universally from the beginning, then certainly it cannot be an Apostolical tradition.

I do begin with the Eastern Church, because their case is plainest, as having Protopatriarchs of their own, and Apostolical Churches of their own; but when that is once acknowledged, I shall be contented to join issue with him in the West; first, for our Britannic Churches, and next even for the Church of Rome itself; that the Pope's universal monarchy, and plenitude of sovereign power by Divine right, was neither "delivered from parents to children by perpetual tradition as a legacy of Christ and His Apostles," nor received by the sons

[o] [Ibid., pp. 288, 289.]
[p] [Schism Dispatched, sect. 1. p. 498.]
[q] [Ibid., pp. 498, 499.]

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of that individual Church as a matter of Faith; but only a 'primacy of order' or 'beginning of unity,' which we do not oppose; nor yet those accessions of human power, which Christian emperors and œcumenical Councils have conferred upon that see, provided they be not exacted as a Divine right.

His "first movership" and his "first governorship" are but general unsignificant terms, which may agree as well to a 'beginning of unity' or 'primacy of order,' as to an absolute monarchy or plenitude of power. If he will say any thing to purpose, he must say it particularly; particulars began the breach, particulars must stop the breach. I have given him an account, what particular differences we have with him concerning St. Peter, what particular differences we have with him concerning the Pope; let him apply himself to those, and not make continual excursions (as he doth) out of the lists.

What respects due to the Pope.

When I acknowledged an authority due to the Roman Bishop in the Church, as a Bishop in his diocese, as a Metropolitan in his province, as the Bishop of an Apostolical see and successor of St. Peter[r], I expected thanks; there are many that will not yield him one inch of all these steps without a new conflict. But behold the evil natures or evil manners of this age! I am accused for this of "frivolousness and insincerity[s]." Yet I will make bold to tell this "apprentice in theology," that whensoever the case cometh to be solidly discussed, it will be found that the principal grounds (if I had said the only grounds, I had not said much amiss) of the Pope's pretended monarchy are the just rights and privileges of his Patriarchateship, his Protopatriarchateship, and his Apostolical chair, mistaken for royalties for want of good distinction. I know the Court of Rome, who have been accustomed in these latter times to milk the purses of their clients, do not love such "a dry primacy[t]" (as he phraseth it); but where they have no more right, and other Churches have a care to preserve their own privileges, they must have patience perforce. 353

Extent of Papal power.

His parallel between the king of England and the Pope[u]

[r] [Reply to S. W., sect. 1; above p. 289.]

[s] [Schism Dispatched, sect. 1.] p. 49[9].

[t] [Ibid., p. 500.]

[u] [Ibid.,] p. 502.

will be then to some purpose, when he hath first proved that the Pope hath a monarchy; until then it is a mere begging of the question; what a gross solecism that is in logic, he cannot choose but know. But since he is favourably pleased to dispense with all men for the "extent" of Papal power, so they believe the "substance" of it[v], and yet he himself either cannot, or dare not determine what the substance of Papal power is; he might out of his charity have compassion, and not style us "mountebanks[x];" who know no difference between Roman Catholics and ourselves about the Papacy, but only about the extent of Papal power. Although he style us heretics now, yet he was lately one of us himself; and would have continued so longer, if he had understood himself better, or the times been less cloudy. Let him call it "substance," let him call it "extent," let him call it what he will; I have given him our exceptions to their Papacy, let him satisfy them as well as he can, and let truth prevail. We have not renounced the "substance of the Papacy," except the substance [of] the Papacy do consist in coactive power. I side with no parties, but honour the Church of England and welcome truth wheresoever I meet it;

"Tros Tyriusve mihi nullo discrimine habetur[y]."

He telleth his reader, that I "grant" the whole question, where I affirm that "the Bishop of Rome 'had authority all over, as the Bishop of an Apostolical Church, or successor of St. Peter[z].'"

Much good may it do him. As if every Bishop of an Apostolical Church were straightway an universal monarch; or as if authority did always necessarily imply jurisdiction; or every arbitrator or depositary were a legal judge. I had reason to place a "Bishop of an Apostolical Church," in my climax, after a Patriarch, for the larger extension of his authority every where, not for the higher intension of his jurisdiction any where.

[Divine right of the Papacy]

I urged, that if the Bishop of Rome did succeed St. Peter by the ordinance of Christ in this privilege—to be the prince

[v] [Schism Dispatched, sect. 1. p. 501.]
[x] [Ibid., p. 503.]
[y] [Virg., Æn., i. 574. "nullo discrimine *agetur*." ed. Heyne.]
[z] [Schism Dispatched, sect. 1. p. 500; from the Reply to S. W., sect. 1. above p. 289.]

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contrary to the Council of Chalcedon.]

and sovereign of the Church, endowed with a single sovereignty of power,—that "the great Council of Chalcedon was much to be blamed, to give equal privileges to the Patriarch of Constantinople with the Patriarch of Rome, and to esteem 'the imperial city' more than the ordination of Christ[a]." To the second part of this argument,—that the great Council of Chalcedon did ground the advancement both of Rome and Constantinople upon the imperial dignity of those two cities,—and to much more which is urged there against him, he is as mute as a fish; but to the former part he answereth, that "for any thing" I "know" to the contrary, Rome "might remain superior in jurisdiction," though they had "equal privileges[b]."

Very pretty indeed. He would have his readers to believe, that a sovereign and his subjects have equal privileges. 'Equals have no power one over another;' there may be a 'primacy of order' among equals, but supremacy of power taketh away equality. Doth not he himself make it to be "St. Peter's privilege to be prince of the Apostles[c]?" And doth not he tell us that this "privilege" descended from St. Peter upon the Bishop of Rome[c]? Then if the Bishop of Constantinople have equal privileges with the Bishop of Rome, he is equal to him in this privilege which descended from St. Peter.

Rome and Constantinople equal.

Let him listen to the eight and twentieth canon of that Council, where, having repeated and confirmed the decree of the general Council of Constantinople to the same purpose, they conclude thus,—"for the" (Nicene) "Fathers did justly give privileges to the See of old Rome, because it was the imperial city; and the hundred and fifty godly Bishops" 354 (in the Council of Constantinople), "moved with the same consideration, did give equal privileges to the See of new Rome; rightly judging, that that city, which was the seat of the empire and the Senate, should enjoy equal privileges with the ancient imperial city of Rome, and be extolled and magnified in ecclesiastical affairs as well as it, being the second in order from it[d]:" and in the last sentence of the

[a] [Reply to S. W., sect. 1; above p. 290.]

[b] [Schism Dispatched, sect. 1. p. 505.]

[c] [Down-Derry, p. 307.]

[d] Concil. Chalced. can. 28. [ap. Beveridge, Synodic., tom. i. p. 145. et Labb., Concil., tom. iv. p. 770.]

judges, upon the review of the cause,—"The Archbishop of the imperial city of Constantinople or new Rome must enjoy the same privileges of honour, and have the same power out of his own authority to ordain metropolitans in the Asiatic, Pontic, and Thracian dioceses[e];" that is as much in law as to say, have equal jurisdiction; for 'all other rights do follow the right of ordination.'

[The Chalcedonian canon of good authority.]

But he knoweth right well, that this will not serve his turn; his last refuge is to deny the authority of the canon; telling us, that it "was no free act," but "voted tumultuously, after most of the Fathers were departed;" and miscalling it a "bastard issue pinned to the end of the Council[f]." Which is altogether as false as any thing can be imagined to be. It was done before the Bishops had their license to depart; it had a second hearing; and was debated by the Pope's own legates on his behalf, before "the most glorious judges;" and maturely sentenced by them in the name of the Council[g]. This was one of those four Councils, which St. Gregory honoured next to the four Gospels[h]. This is one of those Councils, which every succeeding Pope doth swear solemnly to observe "to the least tittle[i]." I hope the Pope hath a better opinion of it than he, at least for his oath's sake.

Good reader, observe, what clusters of forgeries this great censurer hath repacked together in the compass of a few lines[k]. I need to cite no other authority to convince him but the very Acts of the Council. Remember whilst thou livest to distrust such authors. First, he saith, "This was no free act;" most falsely: the Bishops all owned it as their "free act" by their subscriptions, and by their testimonies before the judges[l]. Secondly, he saith, "the clergy of Constantinople extorted it with tumultuous importunity;" most falsely: for it had been once decreed before in the free general Council of Constantinople; and then the clergy of

[e] [Ibid., Act. xvi, ap. Labb., Concil., tom. iv. p. 818. B.]

[f] Schism Disarmed, [Pt. ii. sect. 1.] pp. 112, [113].

[g] [Concil. Chalced. Act. xvi, ap. Labb., Concil., tom. iv. p. 795.]

[h] [Greg., Epist., lib. i. Ep. 25; lib. iii. Ep. 10: Op. tom. ii. pp. 515. B, 632. E.]

[i] [See above, c. 6, pp. 427, 428. note d.]

[k] [Schism Disarmed, Pt. ii. sect. 1. pp. 112, 113.]

[l] [Concil. Chalced. Act. xvi, ap. Labb., Concil., tom. iv. pp. 798—810, 810—814.]

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[Of immediate tradition.] That which followeth, concerning immediate tradition, is but one of his ordinary meanders, or an improper repetition of a heap of untruths and uncertainties, blundered together to no purpose, without any proof. That 'the tradition of all Churches of the Roman communion is necessarily an universal tradition;' that 'only those Churches of the Roman communion do adhere to the rule of tradition, and all other Churches have renounced it;' that 'all those who differ from the Church of Rome did never pretend immediate tradition for those points wherein they differ from it[r]:'—are so many gross untruths. That 'the very same which is delivered

[m] [Ibid., pp. 795, 809.]
[n] [Ibid., pp. 795, 798.]
[o] [Ibid., pp. 798, &c.]
[p] [Ibid., Act. iii; ibid. pp. 424, 425, &c.]
[q] [Ibid., can. 30; ibid. p. 771. A, B.]
[r] [Schism Dispatched, sect. 1. pp. 505, 506.]

by some Christian parents to their children, is delivered by all Christian parents after the same manner;' that 'whatsoever is delivered by Christian parents of this age is necessarily derived from the Apostles by an uninterrupted succession;' and that 'external unity doth necessarily imply an identity of tradition[s]:'—are contingent uncertainties, which may be true or may be false.

155 His reason,—that "it is impossible for the beginners of a novelty to pretend, that their immediate fathers had taught them that which the whole world sees they did not[t],"—is absurd and impertinent, and may serve equally to both parties. First, it is absurd and contrary to the sense of the whole world. We see daily by experience, that there are innovations in doctrine and discipline, and both parties pretend to ancient and immediate tradition. He might as well tell us,

"Nil intra est oleam, nil extra est in nuce duri[u]."

The Arians pretended to immediate tradition as well as the orthodox Christians. Secondly, it is impertinent; changes in religion are neither so sudden nor so visible as he imagineth, but are often made by degrees, in tract of time, at leisure, insensibly, undiscernibly. An error comes first to be a common opinion, then a pious doctrine, lastly, a point of faith; but seldom do errors appear at first in their own shape.

Changes undiscernible.

"Fallit enim vitium specie virtutis et umbrâ[x]."

A 'beginning of unity' in time may grow to be a sovereignty of power. Investitures were taken away from kings for fear of simony; and this fear of simony, before the wheel had done running, produced the most sublimated art of simony that ever was devised. Who would or could have suspected, that those huge cries for free liberty of election should have ended in Papal provisions, or the exemption of clergymen from their allegiance to their native prince? have been an introduction to a new oath of allegiance to a foreign prelate? The subjection of the emperors to the Popes "began with pictures, proceeded to poetry[y]," and ended in down-

[s] [Ibid., Pt. i. sect. 10. pp. 97, 98, &c.]
[t] [Ibid., Appendix, &c., sect. 1. p. 506.]
[u] [Horat., Epist. II. i. 31.]
[x] [Juven., xiv. 109.]
[y] [See Just Vindic., c. vii. vol. i. pp. 202, 203. note f.]

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right maxims of theology. There hath alway been a "mystery of iniquity," as well as a mystery of piety; the tares were sown "whilst men slept," and were not presently discerned.

[2 Thess. ii. 7.] [Matt. xiii. 25.]

It is not I, who have "changed Faith into opinion[z]:" my Faith is the very same that always was professed throughout the Christian world by every Christian at his Baptism, and comprehended in the ancient Creed of the Church. But it is they, who have changed opinion into Faith, when Pius the Fourth matriculated twelve new opinions among the ancient articles of the Creed. Let them be probable, or pious, or erroneous, or what you will; I am sure they are but opinions, and consequently no articles of Faith.

Opinions not necessary.

I said such "opinions of an inferior nature" are not "so necessary to be known[a]." He asketh, "whether they be necessary or no? If they be not necessary, why do" I "grant them to be necessary by saying, 'they are not so necessary?' If they be necessary, why call" I "them but opinions[b]."

Doth he know no distinction of things necessary to be known, that some things are not so necessary as other? Some things are necessary to be known '*necessitate medii*,' —to obtain salvation: some things are necessary to be known only '*necessitate præcepti*,'—because they are commanded: and they may be commanded by God or man; the latter are not so necessary as the former: some things are absolutely necessary to be known by all men; some other things are only by some men,—"Art thou a Master in Israel and knowest not these things?"—some things are enjoined to be held only for peace' sake; those are not so necessary to be known as the Commandments, or the Sacraments, or the articles of the Creed. The Pope's infallibility in his definitions of Faith is but an opinion, and yet they hold it necessary. The superiority of a general Council above the Pope was a necessary opinion in the time of the Councils of Constance and Basle; and now the contrary opinion is "*fere de Fide*"—"almost an article of Faith[c]."

John iii. 10.

[z] [Schism Dispatched, sect. 1. p. 506.]

[a] [Reply to S. W., sect. 1; above, p. 291.]

[b] [Schism Dispatched, sect. 1. p. 506.]

[c] Bellarm., De Concil. [Auctorit.], lib. ii. c. 17. [Op. tom. i. p. 1212. D.]

He knoweth better by this time what I understand by "points of Faith publicly professed[d];" even the articles of the Creed, which every Christian, that ever was from Christ's time until this day, professed at his Baptism. All the Christian world have ever been baptized into the Faith of the old Creed; never any man yet was baptized into the Faith of their new Creed. If these new articles be as necessary to be known and publicly professed for the common salvation as the old, they do them wrong to baptize them but into one half of the Christian Faith.

356 He troubleth himself needlessly with jealousy and suspicion, lest under the notions of Faith "universally professed," and the "Christian world united," I should seek a shelter or patrociny for Arians, or Socinians, or any other mushroom sect[e]; as if the Deity of Christ were not delivered by universal tradition, or not held by "the Christian world united," because of their opposition. I do not look upon any such sects, which did or do oppose the universal and perpetual tradition of the Catholic Church before their days, as living and lasting streams, but as sudden and violent torrents; neither do I regard their opposition to the Catholic Church any more than of a company of phrenetic persons, whilst I see plainly *a parte ante*, that there was a time when the wheat did grow without those tares; and *a parte post*, that their errors were condemned by the Catholic Church. This exception of his hath great force against his "immediate tradition." Should the children of Arians or Socinians persist in their Arian or Socinian principles, because they were delivered to them "as the legacies of Christ and His Apostles" by their erring "parents?" But against my universal and perpetual tradition they have no force at all. Neither do I look upon their petty interruption as an impeachment to the succession from the Apostles, no more than I esteem a great mountain to be an impeachment to the roundness of the earth.

Heresies impeach not the perpetuity of tradition.

Neither was it the Church of Greece, and all the other Eastern, Southern, and Northern Churches, which receded

[d] [Reply to S. W., sect. 1. (above p. 291); quoted by Mr. Serjeant, Schism Dispatched, sect. 1. pp. 506, 507.]

[e] [Schism Dispatched, sect. 1. p. 507.]

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from this universal tradition, in the case in difference between us concerning the discipline of the Church[f]; but the Church of Rome which receded from them.

"Non tellus cymbam, tellurem cymba reliquit."

No tradition for the points in difference between us.

He knoweth little in antiquity, who doth not know, that the Creed was a "tradition" both materially—as a thing delivered by the Apostles, and formally—as being delivered by oral tradition[g]: but he who shall say (as he doth), that "all the points controverted" between us and them were delivered "as derived from the Apostles, in a practice as daily visible as is the Apostles' Creed, by our forefathers; as invoking Saints for their intercession, the lawfulness of images, praying for the dead, adoration of the Sacrament," &c., "and, in particular, the subjection to the Pope as supreme Head[g]," (to use his own phrase) is a "frontless man[h]." His very mumbling of them, and chopping of them by halves, as if he durst not utter them right out, is a sufficient evidence of the contrary. We do not charge them only with "invoking Saints for their intercession," or (to speak more properly) with the invoking God to hear the intercession of His Saints, but with more insolent forms of ultimate prayers to the creatures,—'to protect them at the hour of death, to deliver them from the Devil, to confer spiritual graces upon them, and to admit them into heaven'—*"precibus meritisque"*—not only "by their prayers," but likewise "by their merits[i]." As improper an address, as if one should fall down on his knees before a courtier, and beseech him to give him a pardon or to knight him, meaning only that he should mediate for him to the king[k]. We do not question the lawfulness of their "having of images," but worshipping of them, and worshipping of them with the same worship which is due to the Prototype[l]. We condemn not all "praying for the dead," not for their resurrection, and the consummation of their happiness, but their prayers, for their deliverance out of Purgatory[m]. We ourselves adore Christ in the Sacrament, but we

[f] [Schism Dispatched, sect. 1. p. 507.]
[g] [Ibid., pp. 508, 509.]
[h] [Ibid., p. 501.]
[i] [See Answ. to La Millet. (vol. i. pp. 46, 47.) Disc. i. Pt. i.]
[k] [Ibid., p. 47.]
[l] [Ibid., pp. 45, 46.]
[m] [Ibid., pp. 59, 60.]

dare not adore the *species* of Bread and Wine[n]. And although we know no Divine right for it, yet, if he would be contented with it, for peace' sake we could afford the Bishop of Rome a 'primacy of order' by human right, which is all that antiquity did know. And if any of our ancestors, in any of these particulars, did swerve from the universal perpetual tradition of the Church, we had much better warrant to return to the Apostolical line and level, than he himself had to desert those principles temerariously, which his "immediate forefathers" taught him, as delivered by the Apostles and derived from them.

[Other exceptions of Mr. Serjeant.]

His next exception is a mere logomachy,—that I call two of his assertions "inferences[o]."

What doth this concern either the person or the cause? 357 Either this is to contend "about the shadow of an ass," or I know not what is. Let them be premisses or conclusions, which he will, they may be so disposed to make them either; if they be neither, what do they here? if they be conclusions, they are "inferences." He calleth the former conclusion their "chief objection[p];" who ever heard of an objection without an "inference?" And the second is so far from being no "inference," that it comprehendeth four "inferences;" one from the first principle, another from the second principle, and the third from both principles,—that "Churches in communion with the Roman have the only right doctrine in virtue of the first principle, and the only right government in virtue of the second principle, and unity necessary to salvation in virtue of both principles[q]"—and the last conclusion is the general inference from all these,—"And by consequence we hold them only to make the entire Catholic Church[r]."

I said truly, that we hold both their rules of unity[s]; I add, that we hold them both "in the right sense[t]," that is, in the proper literal sense of the words: but what their sense of them is, concerneth them, not us. If by "the

[n] [Ibid., pp. 20, 21, 45.]
[o] [Schism Dispatched, sect. 1. p. 509.]
[p] [Down-Derry, p. 308.]
[q] [Ibid.]
[r] [Ibid.]
[s] [Reply to S. W., sect. 1; above, pp. 287, 292.—Schism Dispatched, sect. 1. pp. 489, 490, 509.]
[t] [Schism Dispatched, sect. 1. pp. 496, 509; from Reply to S. W., sect. 1, above p. 288.]

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I said there was a fallacy in logic of "more interrogations than one," when questions of a different nature are mixed, to which one uniform answer cannot be given. He saith "he put no interrogatory at all to me[y]."

True; but he propounded ambiguous propositions to be answered by me, confounding St. Peter and the Pope, a Headship of order and a Headship of power; which is all one. A Head of order hath power to act first, as well as sit first; but he acteth not by his own single power, but by the conjunct power of the body or college.

To shew him, that I am not ashamed of my "voluntary railing" (as he phraseth it) "too silly to merit transcribing or answering[z]," I will transcribe it for him. "The Church or Court of Rome have sophisticated the true doctrine of Faith by their supplemental articles, contrary to the first principle;

[u] [Ibid., p. 509, &c.]
[x] [Ibid.,] p. 510.
[y] [Ibid.; from Reply to S. W., sect. 1, above p. 292.]
[z] [Schism Dispatched, ibid.]

and have introduced into the Church a tyrannical government, contrary to the second principle; and are so far from being the entire Catholic Church, that by them both they are convicted to have made themselves guilty of superstition and schism [a]." If this be "railing," what term doth his language deserve? If this be "silly," what pitiful stuff is his!

He said, my "only way to clear" our "Church from schism" was to "disprove" his two rules [b]. I answered he was "doubly mistaken."—

The proof rests on their side.

First, in putting us to prove or disprove, who are the persons accused [c]; the defendant's duty is to answer, not to prove; that is the duty of the accuser. They accuse us of schism; therefore they ought to prove their rules, whereon they ground their accusation, in that sense wherein they take them; not put us to disprove them. He urgeth, that "by this method no rebel ought to give any reason why he did so, because he is accused of rebellion by his lawful governor [d]." By his leave, he that condemneth a subject of rebellion before he have proved his accusation, doth him wrong. But he saith, "The truth is, wheresoever there is a contest, each side accuses the other, and each side defends itself against the other's accusations;" but we "were the first accusers, who could not with any face have pretended to reform, unless" we "accused first" our "actual governor of usurpation [e]." I told him before that he was "doubly mistaken;" now I must be bold to tell him that he
358 is three ways mistaken. First, the Pope was none of our "actual governor" in the external regiment of the Church, by the laws of England. Secondly, our Reformation was no accusation, but an enfranchisement of ourselves '*sub moderamine inculpatæ tutelæ.*' Thirdly, I have already manifested the usurpations of the Court of Rome, upon other manner of grounds than his ambiguous rules. As we have proved our intention, so let him endeavour to prove his.

My second answer was, that "although the proof did rest

[a] [Reply to S. W., sect. 1; above, p. 293.]
[b] [Down-Derry, p. 308.]
[c] [Reply to S. W., sect. 1; above, p. 293.]
[d] [Schism Dispatched, sect. 1. p 511.]
[e] [Ibid.]

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on our sides, yet I did not approve of his advice[f]," that was, to disprove his two rules. My reason is evident; we approve of his two rules as they were set down by himself; it is not we but they who have swerved from them; and therefore it were madness in us to disprove them. He saith, he "dare swear in" my "behalf, that" I "never spake truer word in" my "life;" and out of his supererogatory kindness offers himself "to be bound" for me, that I "shall never follow any advice, that bids" me "speak home to the point[g]." What silly nonsense is this! Should I follow any man's advice to disprove that which I approve? I have spoken so home to the point without any "advice," that I expect little thanks from him and his fellows for it.

[Our discipline not new because reformed.]

What he prateth of "a discipline left by Christ to the Church of England in Henry the Eighth's time[h]," is ridiculous indeed. And it is equally ridiculous to hope to make us believe, that the removal of a few upstart usurpations "is a change of the discipline left by Christ to His Church[i]." And, lastly, it is ridiculous to fancy, that later usurpations may not be reformed by the pattern of the primitive times, and the ancient canons of the Church, and the practice of succeeding ages, because we received them by "particular tradition from our immediate fathers."

That one place which he repeateth as having been omitted by me[j], hath been answered fully to every part of it.

The rest of this section[k] is but a repetition of what he hath said, without adding any thing that is new; and in the conclusion of this treatise he giveth us a *summa totalis* of it again (either he must distrust his reader's memory or his judgment); and yet, for fear of not being understood, he recapitulates it all over again in his Index. Surely he thinketh his discourse so profound, that no man understands him except he repeat it over and over again; and for my part I did never meet with such a torrent of words, and such shallowness of matter. And so I leave him to St. Austin's censure

[f] [Reply to S. W., sect. 1; above, p. 293.]
[g] [Schism Dispatched, sect. 1. p. 512.]
[h] [Ibid.,] p. 513.
[i] [Ibid.]
[j] [Ibid., pp. 514, 515; quoting Down-Derry, p. 309. See Reply to S. W., sect. 1; above pp. 289-292.]
[k] [Schism Dispatched, sect. 1. p. 515.]

alleged by himself;—"*In malâ causâ non possunt aliter, at malam causam quis coegit eos habere*[1]*?*"

SECTION II.

THAT THEY WHO CAST PAPAL POWER OUT OF ENGLAND WERE NO PROTESTANTS, BUT ROMAN-CATHOLICS THROUGHOUT; EXCEPT ONLY IN THAT ONE POINT OF THE PAPACY.

"HITHERTO" (he saith) he "hath been the larger in his reply, because the former points were fundamental[ly] concerning and totally decisive of the question[m]." [Mr. Serjeant's only grounds his own vaporous fancies.]

They do 'concern' the question indeed, to blunder and to confound universal tradition with particular tradition, a primacy of order with a single supremacy of power, jurisdiction purely spiritual with external jurisdiction '*in foro contentioso:*' otherwise they concern not the question. And for 'deciding of the question,'—wherewithal should he decide it? who hath not so much as alleged one authority in the case, Divine or human, not a text of Scripture, not a canon of a Council, not a testimony of a Father; who hath not so much as pretended to any universal or perpetual tradition, but only to the particular immediate tradition of the Roman Church; and this he hath only pretended to, but neither proved it, nor attempted to prove it; nor is it possible for him to prove by the particular tradition of the Roman Church itself, that the Bishop of Rome is the sovereign monarch of the Church "by Christ's own ordination." His only grounds are his own vaporous fancies, much like Zeno's vaunts, who used to brag, that he 'sometimes wanted opinions but never wanted arguments[n].'

My six grounds he styleth "exceptions[o]." And why
359 "exceptions?" But let them be grounds, or exceptions, or whatsoever he will have them to be: and let him take heed

[1] [August., taken as a motto by Mr. Serjeant to Schism Dispatched. See Lib. ad Donatist. post Collat. c. xxxiv. § 57, Op. tom. ix. p. 615. D, E.]

[m] [Schism Dispatched, sect. 2. pp. 515, 516.]

[n] [Diog. Laert., vii. 179; of *Chrysippus*, the pupil, not Zeno the master.]

[o] [Schism Dispatched, sect. 2. p. 516.]

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that every one of those "trifles and toys[p]" (as he calleth them) do not baffle him and trip up his heels.

[1. We are justified in following the first separation from Rome.]

1. I pleaded, that "Roman Catholics did make the first separation[q]." He answers, that "this plea" doth "equally acquit any villain in the world, who insists in the steps of his forefather villains[r]."

Would no expression lower than this of "villains" serve his turn? Who can help it? If those 'forefathers' (whom he intimates) were "villains" or any thing like "villains," they were his forefathers twenty times more than ours. We inherit but one point in difference from them, but he twenty; the denomination ought to be from the greater part. If any of them were deemed more propitious to us than the rest, it was Henry the Eighth, or Archbishop Cranmer. For both these we have their own confession that they were theirs. First, for Henry the Eighth,—"We had a king who by his laws abolished the authority of the Pope, although in all other things he would follow the Faith of his ancestors[s]." And for Archbishop Cranmer hear another of them,—"Cranmer the unworthy Archbishop of Canterbury was his" (the Earl of Hertford's) "right hand and chief assistant in the work, although but a few months before he was of King Harry's religion; yea, a" great "patron and prosecutor of the six Articles[t]." But to deal clearly with you; there is not the same reason to imitate a notorious knave in his confessed knavery, and to follow one who hath not only a reasonable and just cause of contending, but also the reputation of an honest man, even in the judgment of his adverse party, in all other things, except only therein wherein he is adverse to them. Such were all the actors in this cause by their confession. If we acknowledged, that they who cast out Papal usurpations were schismatics for so doing, he said something: but we justify their act, as pious and virtuous; and so his comparison hath never a leg to run on.

I pleaded, that it was "a violent presumption of their guilt

[p] [Ibid., p. 516.]

[q] [Reply to S. W., sect. 2; above, p. 294.]

[r] [Schism Dispatched, sect. 2. p. 516.]

[s] Gul. Alan., Apolog. [pro Sacerd. Soc. Jesu], cap. iv. pag. 59. [Aug. Trev. 1583.]

[t] [Image of Both Churches, Hierus. and Babel, by P. D. M., p. 413. 2nd. edit.]

and our innocence, when their best friends, and best able to judge, who preached for them and writ for them, who acted for them and suffered for them, who in all other things were great zealots of the Roman religion, and persecuted the poor Protestants with fire and faggot, yet condemn them and justify this separation[u]." He minceth what I say according to his use; and then exceepteth, "the word 'best' might have been left out; they ever were accounted better friends who remained in their former Faith, and the other Bishops looked upon as schismatics by the obedient party[x]."

Yet the Bishop of Chalcedon doubted not to call them "the best of Bishops[y]." He should do well to tell us for his credit's sake, who those "other Bishops" were, who "looked upon" these "as schismatics." Such is his ignorance in the state of these times, that he dreameth of two parties, an "obedient party," and a rebellious party; whereas there were no parties, but all went one way. There was not a Bishop nor an Abbot of note in the kingdom, who did not vote the king's supremacy; four and twenty Bishops, and five and twenty Abbots personally at one time[z]. There was not a Bishop nor any person of note in the kingdom, who did not take the oath of the king's supremacy; except Bishop Fisher and Sir Thomas More; who were imprisoned for treason, either true or pretended, before that Act was made, for opposing the succession of the Crown[a]. If he will not trust me, let him trust the verdict of our Universities,—"At length we all agreed unanimously in this sentence and were of one accord, that the Roman Bishop hath no greater jurisdiction given him by God in Holy Scripture in this kingdom of England, than any other foreign Bishop[b]." The same sentence was given by our convocations or synods[c]. The same sentence was given by our parliaments[d] with the same concord and unanimity, "*nemine dissentiente.*" We had no

[England and Ireland unanimous in casting out the Pope.]

[u] [Reply to S. W., sect. 2; above, p. 291.]

[x] [Schism Dispatched, sect. 2. p. 516.]

[y] Survey, c. ii. [sect. 10. p. 41.]

[z] [But see Just Vindic., c. iii. (vol. i. p. 114. note u.) Disc. ii. Pt. i.]

[a] [See Replicat. to Bish. of Chalced., c. iii. sect. 2. (above, p. 99). Disc. iii. Pt. i.]

[b] [Foxe,] Acts and Monum., p. 565. [bk. viii. an. 1534. vol. ii. p. 281. ed. 1684.]—Regist. Epist. Univ. Oxon., Epist. 2[10. See Just Vindic., as before quoted, note s.]

[c] Sac. Synod. [Prov. Cant. et Ebor.], an. 1530 et 1532. [See Just Vindic., as before quoted, note t.]

[d] 24 Hen. VIII. c. 12.

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with the power of the Keys, or abridge the Bishop of Rome of any jurisdiction purely spiritual, or any legacy which was left him by Christ or His Apostles; but only to cast out his usurped coactive power in the exterior court without the leave of the sovereign prince, which Christ and His Apostles did never exercise or dispose of or meddle with, and to vindicate to our kings the political or external regiment of the Church, by themselves and by their Bishops and other fit delegates, as a right due to all Christian princes by the law of God and nature.

[Fear could be no cause of this unanimity.] But he attributeth all this to the "fear" of the clergy and the people, and "the king's violent cruelty;" and for proof of what he saith, citeth half a passage out of Dr. Hammond[g].

But he doth Dr. Hammond notorious wrong. Dr. Hammond speaketh only of the "first" preparatory act, which "occasioned them to take the matter of right into a serious debate in a synodical way;" he applieth it to the subsequent act of 'renunciation' after debate. Dr. Hammond said only, "it is easy to be believed;" Mr. Serjeant maketh it "a just presumption" or "confest evidence." Dr. Hammond speaketh of no "fear" but the fear of the law,—the law of Præmunire; an ancient law, made many ages before Henry the Eighth was born, the Palladium of England, to preserve it

[e] De Verâ Obedientiâ, [in Append. ad Fascic. Rer. Expetend. et Fugiend., pp. 812, 817.]

[f] Council Book [of Ireland], an. 32, 33, 34, Hen. VIII.

[g] [Schism Dispatched, sect. 2. pp. 516, 517; from Hammond, Of Schism, (c. vii. § 5. Works, vol. i. pp. 523, 524).]

from the usurpations of the Court of Rome: but he misapplieth it wholly to the "fear" of "the king's violent cruelty." Lastly, he smothers Dr. Hammond's sense expressed clearly by himself, that "there is no reason to doubt, but that they did believe what they did profess, the fear being the occasion of their debates but the reasons or arguments offered in debate the causes (as in all charity we are to judge) of their decision." He useth not to cite any thing ingenuously.

If he did, he could have told his reader, that this answer was taken away by me before it was made by him. For two whole kingdoms, the Universities, the Convocations, the Parliaments, to betray their consciences, to renounce an article which they esteem necessary to salvation, only for the fear of a Præmunire or the loss of their goods; to forswear themselves, to deny the essence of their Faith, to turn schismatics; as if they did all value their goods more than their souls; without so much as one to oppose it;—is a vain uncharitable surmise, or rather it is incredible, and not only incredible but impossible. They were the men that advised the king to assume the supremacy. Archbishop Warham told the king it was his "right to have it before the Pope[h]." Bishop Gardiner was the chief framer of the oath of supremacy[h]. Bishop[s] Tonstal and Longlands were the chief preachers up of the king's supremacy at St. Paul's Cross[h]. Tonstal justifieth it in his letter to Cardinal Pole[h]. Gardiner and Bekenshaw did write polemic books in defence of the king's supremacy[h]. The whole Convocation did set forth a catechism or catechetical book, to instruct the people in the king's right to the supremacy, called "The Institution of a Christian man[h]." Bishop Bonner, bloody Bonner, who made such bonfires of the poor Protestants, being then the king's ambassador with Clement the Seventh, did so boldly and highly set forth King Henry's supremacy in the assembly of Cardinals, that they thought of burning him or casting him into a vessel of scalding lead, if he had not secured himself by flight[i]. Suppose it was credible, that they all voted out of "fear," and took the oath of supremacy out of "fear;"

[h] [Foxe,] Acts and Monum., [bk. viii. vol. ii. pp. 278, &c. 284, &c. 326, &c.: and see Just Vindic., c. iii. vol. i. p. 120. note u.]

[i] Acworth, Contra Sand., lib. ii. p. 195.

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what fear could constrain them to advise the king to assume the supremacy as his right? to frame the oath of supremacy? to instruct others in the king's right to the supremacy, by private letters, by public catechisms? to preach up his supremacy? to propugn his supremacy in their polemic writings, in their orations before the Cardinals themselves, with hazard of their lives? to 'tickle the king's ears with sermons against the Pope's supremacy[j]?' Who shall still say what these men did was out of "fear," must be a very credulous man. The contrary is as evident to the world as noon-day light. I will conclude this point of the "fear" of "the king's violent cruelty," with Bishop Gardiner's testimony of himself.—He objecteth that "as a Bishop" he had "sworn to maintain the supremacy of the Pope;" to which he answereth, that "what was holily sworn, is more holily omitted, than to make an oath the bond of iniquity[k]." He confessed himself to have been married to the Church of Rome "*bonâ fide*," as "to his second wife;" but 'after the return of his first wife (that is, the truth, to which he was espoused in his baptism), being convicted with undeniable evidence, he was necessitated out of conscience to forsake the Church of Rome in this particular question of supremacy, and to adhere to his first wife the truth, and after her to his prince, the supreme Head of the English Church upon earth[l].'

[Acts viii. 23.]

[2. To be misled by others extenuates guilt if it does not acquit from it.]

2. Secondly, I pleaded, that "although it doth not always excuse '*à toto*'—from all guilt, to be misled by others into error, . . yet it always excuseth *à tanto;* it . . extenuateth the guilt[m]." This allegation is so evidently true, that he hath not confidence enough to deny it (which is a wonder); but argueth against it.

First, "how could" we "think their example to be followed, whom" we "confess to have done what they did out of fear[n]?"

Or rather what a shameless untruth is this? His witness saith, that "fear" might be "the occasion of the debate,"

[j] Speed, [Chron.,] in Hen. VIII. c. 21. num. 105. [But see Replic., &c., c. iii. sect. 2; above, p. 101. note r.]

[k] De Verâ Obedientiâ. [in Append. ad Fascic. Rer. Expetend. et Fugiend., p. 818.]

[l] [Ibid., pp. 819, 820.]

[m] [Reply to S. W., sect. 2; above, p. 294.]

[n] [Schism Dispatched, sect. 2. p. 517.]

but reason and conscience were their directors in the "decision;" and we have demonstrated, that their actions could not possibly proceed from fear. DISCOURSE IV.

His second answer is, "why do" we "not rather follow them in renouncing their schism, as those Bishops did after the king's death[o]?"

'Once proved false, is always presumed to be false.' Who told him, that they made any "retractation after the king's death," after they were freed from their "imminent fear[p]?" They made no "retractation," but held their Bishoprics in King Edward's time, until other questions did arise, and executed the statute of supremacy as rigorously as they did in Henry the Eighth's time. For proof whereof, I cite the testimony of Queen Elizabeth, given to their faces in their life-times, before the most eminent ambassadors of the greatest princes, when they might have contradicted it if they could. When the emperor and other Roman-Catholic princes interceded with her for the displaced Bishops, she gave them this answer,—that they did "now obstinately reject that doctrine, which most part of themselves, under Henry the Eighth and Edward the Sixth, had of their own accord, with heart and hand, publicly in their sermons and writings, taught unto others, when they themselves were not private persons but public magistrates[q]." Observe the words: first, "of their own accords;" secondly, not only "under Henry the Eighth," but "Edward the Sixth;" there falleth his plea to the ground; thirdly, "when they themselves were public magistrates," and consequently in a capacity of doing rather than of suffering; lastly, "with heart and hand," not only "in their sermons" but also in their printed "writings;" we use to say, 'there is no defence against a flail;' certainly against subscriptions and public "writings" there can be no defence. To the Queen's testimony I add another, of Sanders,—that "the Bishops of Winchester, London, Durham, Worcester, Chichester, excellent men, and inwardly Catholics," yet, "being made Bishops in the schism, . . they had not the spirit of courage; . . therefore they resisted faintly to the king's primacy, or rather they subscribed

[o] [Ibid.]
[p] [Ibid.]
[q] Camd., Annal. Eliz., an. 1559. [P. i. pp. 27, 28. ed. 1639.]

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Thirdly, he urged, "the beginners of a fault may be less culpable than their followers," when their provocations be greater; "their provocations were no less than expectation of death and destruction" by "the king's inhuman cruelty;" but our "continuance in schism compared to the motives of theirs is in a manner gratis, all" our "reasons.. being for" our "livings and interest heretofore, and now a vain glorious itch to approve" ourselves to our "party [s]."

We have had many proofs of his veracity, here is one more of his charity. Suppose his new light had led him into ready paths not precipices (which no man will grant him but his own fellows), yet why should he accuse us of hypocrisy rather than of error in judgment, who have lost all our estates for our consciences; which probably he never had to lose, nor would have quitted it so if he had had it? but only that his own guilt doth dictate such uncharitable censures to him. No, Mr. Serjeant: *we* are no such changelings or turning weather cocks; that is your own part: and you may live to act it over again; such hot water freezeth soonest. Are you so blind, that you do not see that this accusation might be retorted upon you, and upon your great converts whom you propose to us for patterns? who, as you say, had been schismatics in Henry the Eighth's time; you might as well say for the most part of them in Edward the Sixth's time also, and had no other way in the world to preserve or recover their Bishoprics in Queen Mary's days, but by pretending at least such a conversion. But we are not so uncharitable as you, we judge them by their profession and leave their consciences to God.

[3. Although the first separators were schismatics, yet we are free.]

3. Thirdly, I pleaded, that although those who cast the Pope's pretended sovereignty out of England had been schismatics, as they were not, yet we cannot be charged with 352
schism, so long as we seek carefully after truth, and are ready implicitly in the preparation of our minds to embrace it whensoever we find it. Because he shall not pre-

[r] De Schism. Anglic., lib. ii. p. [248. ed. 1610.]

[s] [Schism Dispatched, sect. 2. pp. 517, 518.]

varicate with us, I will reduce my argument into syllogistical form. "Whosoever invented not their false opinions themselves but learned them from their erring parents, are not to be reputed heretics (much less schismatics), if they defend them not with pertinacious animosity, but inquire carefully after the truth, and be ready to embrace it, and correct their errors when they find them:"—but if we had any false opinions, we invented them not ourselves, but learned them from our erring parents:—therefore we are not to be reputed heretics (much less schismatics), if we defend not our opinions, with pertinacious animosity, but inquire carefully after the truth, and be ready to embrace it, and correct our errors when we find them. The major is St. Austin's[t] to a word, and is yielded by Mr. Serjeant to be true; the minor is evident to all the world and cannot be denied; therefore the conclusion is firm.

I do not urge this, as though I had the least suspicion in the world that our ancestors did err; but to shew, that although they had erred, yet we are not to be reputed heretics or schismatics, whilst we do our endeavours to find the truth, and embrace it implicitly in the preparation of our minds. Neither do I urge this to convince others, who do not know our hearts, and perhaps will not believe us, when we tell them that we hold the truth implicitly; but for the satisfaction of our own consciences. We know whether we hold opinions pertinaciously or not; and whether we desire and endeavour to find out the truth or not; and whether we are willing to embrace the truth whensoever God shall reveal it or not: none know it but God and ourselves: Mr. Serjeant cannot know it. And therefore, as his answer is improper and contrary to the rules of logic,—to deny the conclusion or condition contained in the conclusion,—so it is vain and presumptuous;—to judge of another man's conscience which is known only to God and himself. I cited St. Austin to prove the proposition, which he yieldeth; not the assumption, which is too evident in itself to be denied; much less to be a witness of our hearts, which it was impossible for St. Austin to know. Judge, reader, what Ardelios and busy bodies these are, censuring and damning all Protestants to

[t] August., Epist. 162. [See above, p. 390. note m.]

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the pit of hell as heretics and schismatics, and yet, when they are pressed home, are forced to confess, that if they do endeavour to find out the truth, which all good Christians do, then they are neither heretics nor schismatics. This may be a great comfort and satisfaction to all conscientious Protestants, who are daily molested by these men and terrified with such bugbears as these. But Mr. Serjeant hath devised a new method to discover the hearts of Protestants, by "the testimony of their eyes," and "the undeniable verdict of their reason," only by viewing my answer to his first section [u]. "*Risum teneatis amici* [x]?"

[The first separators substantially Papists, whatever they be called.]

To draw the saw of contention to and fro, about Henry the Eighth, Warham, Heath, Tonstal, Gardiner, Bonner, &c., whether they were Protestants or Papists, is impertinent, and frivolous:—impertinent; let him call them Protestants, or Papists, or neither, or both, it is all one to my argument; that "it is a violent presumption of their guilt and our innocence, that all their great scholars, who preached for them, and writ for them, and acted for them, and suffered for them" in all other differences, should desert them in this [y]: and frivolous; to contend about the word when we agree upon the thing. The thing is without all controversy or dispute. They held with the Protestants in the article of the supremacy, and with the Papists in all other articles whatsoever. Now whether their denomination shall be from the greater part as it is in all other cases (mix one drop of milk with twenty or forty of water, and we call it water, not milk), or from the lesser part as Mr. Serjeant would have it, I commit to the reader's judgment, and desire him to determine it himself; whatsoever way he determines it, his judgment will be less prejudicial than to be molested with such wranglers.

Protestants may persecute Protestants [z], but not *as* Protestants; and Papists may persecute Papists (as the Jansenists persecute the Jesuits), but not *as* Papists; even Ishmael's mocks are termed persecutions: but they seldom make such bloody laws against those whom they acknowledge to be of 363

[Gen. xxi. 9—Galat. iv. 29.]

[u] [Schism Dispatched, sect. 2. p. 519.]

[x] [Horat., A. P. 5.]

[y] [Reply to S. W., sect. 2; above, p. 294.]

[z] [Down-Derry, p. 310.]

their own communions, as the law of the Six Articles was; or persecute them with fire and faggot, as Bonner did.

He urgeth, that "between every species of colour which we have names for, there are hundreds of middle degrees for which we have no names[a]."

Well argued against himself; wit, whither wilt thou? Then why doth he call them Protestants, and give them a name? There are indeed between every species of colours many middle degrees which have no distinct names; but therefore we give them the names of those colours which they come nearest to; either with a distinction if the difference be easily expressed, as grass-green, sea-green, willow-green, &c.; or without any distinction,—the white of an egg is not so white as snow, yet both white. If he would pursue his own instance, this controversy were ended.

He prateth of "the subordinate sects" of Protestants, and 'how changeable they are every day[b].'

He loveth to have a *vagare* out of his lists. It is his spiritual Mother, the Church of England, that gave him his Christian being, which he hath undertaken to combat; let him "adorn that Sparta[c]" as he is able: and if he did it with more modesty, he were less to be blamed than he is. If she had been but his old friend, yet "friendship ought to be unstitched by degrees, not torn asunder suddenly[d]." But to cast dirt in the face of his own Mother, is a shrewd sign of an ill nature. As the fool said to a favourite, 'If I fall I can rise again, but if thou fall thou willst never rise again;' so, if we change, there is no great danger in it, because we keep ourselves firmly to our old essentials, that is, the Apostles' Creed; but their change is dangerous, who change their Creed, and presume to add new essentials to the old.

He beareth such a perfect hatred against "Reformation," because it is destructive to his foundation of "immediate tradition," that he maketh "No Papist" and a "Reformer" to be the character of a Protestant[e]. Popes and Cardinals,

[Mr. Serjeant's hatred of "Reformation."]

[a] [Schism Dispatched, sect. 2.] p. 520.

[b] [Ibid.]

[c] ["Σπάρταν ἔλαχες· ταύταν κόσμει." Tragicus quidam ap. Cic., Ad Attic., iv. 6; et alibi.]

[d] ["Dissuenda, non dissecanda est amicitia." See Cic., De Offic., i. 12.]

[e] [Schism Dispatched, sect. 2. p. 520.]

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emperors and kingdoms, Churches and Councils, have all acknowledged both the lawfulness and necessity of reformation. What doth he think of the Council of Trent, or hath he peradventure never read it[f]? But what doth he think of the Councils of Constance and Basle, who profess themselves every where to be qualified to reform the Church, "*tam in capite quam in membris*"—"as well in the head as in the members[g]?" They escape fairly if he do not censure them as Protestants; for they were great "reformers," and they were no great "Papists," placing the sovereign power under Christ in the Church and not in the "first mover." I might well call the Reformation in Henry the Eighth's time "their Reformation[h]," the Papists' Reformation rather than ours, if the Reformers were more Papists than Protestants, as is most evident.

[The Papal Headship, as maintained by Mr. Serjeant, rejected by the primitive Fathers.]

I pressed him that if the "renunciation" of the Bishop of Rome's "absolute universal monarchy" by "Christ's own ordination" be the essence of a Protestant, then "the primitive Church were all Protestants[i]." He answereth, it is "flatly false[k]."

I am contented to be silent for the present, but when time serveth, it may be made appear, to be "flatly" true; and that all that the primitive Fathers did attribute to the Bishop of Rome, was no more than a 'primacy of order' or 'beginning of unity;' and that an absolute monarchy by Christ['s] ordination is absolutely repugnant to the primitive discipline.

[By all the Eastern, Southern, and Northern Christians.]

I proceeded,—"Then all the Grecian, Russian, Armenian, Abyssene Christians are Protestants this day[l]." He answereth, that "it is partly true and partly false," and serveth only to prove "that the Protestants have fellow schismatics[m]."

And why "partly true and partly false?" when all the world seeth, that all these Churches do disown and disclaim

[f] [See Answ. to La Millet. (vol. i. p. 40. note n), Disc. i. Pt. i.]

[g] [Concil. Constant. Scss. iv; et Basil. Scss. ii. c. 3; (ap. Labb., Concil., tom. pp. xii. 19. B, 477. E.); et alibi sæpe.]

[h] [Reply to S. W., sect. 2; above, p. 295.]

[i] [Ibid.]

[k] [Schism Dispatched, sect. 2. p. 521.]

[l] [Reply to S. W., sect. 2; above, p. 295.]

[m] [Schism Dispatched, sect. 2. p. 521.]

the Pope's monarchy. This is just the old condemned tenet of the schismatical Donatists, who did most uncharitably limit the Catholic Church to their own party, excluding all others from hope of salvation; as the Romanists do now. The best is, we must stand or fall to our own Master. But by this means they have lost one of the notes of their Church, that is, "multitude;" for they exclude three or four times more Christians out of the communion of the Catholic Church, than they admit into it.

I proceeded yet higher,—"Then we want not store of Protestants, even in the bosom of the Roman Church itself[n]." His answer is, that "to speak moderately, it is an impudent falshood, and a plain impossibility, for whosoever renounceth the substance of the Pope's authority, and his being Head of the Church, . . becomes totally disunited from the Church[o]." [By many of the Roman-Catholics themselves.]

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Good words! His ground work is too weak to support the weight of such a heavy accusation. A primacy of order implieth a Headship, as well as [a] supremacy of power; neither is it destitute of all power. It hath some power essentially annexed to it; to congregate '*sub pœnâ purè spirituali*,' to propose, to give sentence according to the votes of the College; it may have an accessary power, to execute the canons according to the constitutions of Councils, and imperial sanctions, and confirmations.

But all this cometh far short of that Headship which he asserteth,—a sovereign monarchical Headship of absolute power above the whole Church by Christ's ordination[p]. This is that Headship, which he maintaineth against me every where; this is that Headship, which the primitive Church never acknowledged; this is that Headship, which the Grecians, Russians, Armenians, Abyssenes, and the Church of England, renounce at this day; this is that Headship, which many of his own communion, who live in the bosom of the Roman Church, do not believe,—as the Councils of Constance, and Basle, and Pisa, the School of Sorbonne, and very many others every where, who do

[n] [Reply to S. W., sect. 2; above, p. 295.]

[o] [Schism Dispatched, sect. 2. pp. 521, 522.]

[p] [Ibid., sect. 1. p. 481, &c.]

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all reject it, some more, some less. The main difference, and almost the whole difference, between him and me, is concerning coactive power in the exterior court over the subjects of other princes against their wills; this is so far from being universally believed throughout all places of the Roman communion, that it is practically received in few or no places further than it seemeth expedient to sovereign princes. If the Pope himself did believe, that he had such an absolute sovereignty of monarchical power in the exterior court by Christ's own ordination to him and his successors, how could he alienate it from his successors almost wholly to the princes of Sicily, and to their heirs for ever, within that kingdom[q]? Or how could the princes retain it? If the king and kingdom of France did believe, that the Pope had such an absolute monarchical power in the exterior court by Christ's own ordination, how could the king of France forbid the Pope's legates without his license? or restrain their legantine commissions by his Parliaments? or swear them to act nothing contrary to the liberties of the Gallican Church, and to cease to execute their commissions whensoever the king and kingdom should prohibit them? or reject Papal decrees further than they are received in that kingdom[r]? Or if the Council of Brabant did believe it, how could they forbid the subjects to repair to Rome out of their own country upon the Pope's summons[s]? All men know, that there is no privilege or prescription against "Christ's own ordination." '*Qui pauca desiderat, facile pronunciat.*' This is ever the end of his "contradictions."

Lastly, he chargeth me for omitting to answer to his reason, that "the renouncing the Pope is essential to Protestantism[t]."

Truly I neither did nor do hold it worth answering. Cannot he distinguish between the whole essence of any thing, and one essential? He might as well affirm, that he who believeth but one article of his Creed is a Christian. This requireth no great "skill to explicate" it[u]. But I have

[q] [See Just Vindic., c. vii. vol. i. pp. 229, 230.]
[r] [Ibid., pp. 225, 226.]
[s] [Ibid., pp. 236, 237.]
[t] [Schism Dispatched, sect. 2.] p. 522. [and Down-Derry, p. 311.]
[u] [Schism Dispatched, sect. 2. p. 522.]

remitted this controversy to "the reader" as fittest for his determination[x]. DISCOURSE IV.

SECTION III.

THAT HENRY THE EIGHTH MADE NO NEW LAW, BUT ONLY VINDICATED THE ANCIENT LIBERTIES OF ENGLAND.

CHRISTIAN reader, thou hast seen hitherto, how Mr. Serjeant hath failed altogether to make good his pretensions; and instead of those great mountains of "absurdities," and "falsifications," and "contradictions," which he promised, hath produced nothing worthy of so weighty a cause, or an ingenious scholar, but his own wilful ridiculous mistakes. We are now come to his third section, wherein thou mayest see this young Phaeton mounted in his triumphant chariot, driving the poor Bishop as a captive before him; now expect to see him tumbling down headlong, with a fall answerable to his height of pride and insolence. He professeth himself "willing to stand to the award of the most partial Protestant living, who hath so much sincerity as to acknowledge the sun's shining at noon-day, or that the same thing cannot both be and not be at once[y]." If after this loud confident brag he be not able to make any thing good that is of weight against me, he hath forfeited either his judgment or his ingenuity, and deserveth not to be a writer of controversies. I need no "partial" judges, but appeal to the indifferent reader of what communion soever he be: he needeth but to compare my Vindication, his Answer, my Reply, his Rejoinder, and my Surrejoinder together in this one short section, and give sentence readily who is the "mountebank[z]" and "prevaricator." [Mr. Serjeant's boasting.]

And, first, I challenge this great champion of downright cowardice, as great as ever his predecessor Thraso shewed in the comedy[a]; in smothering and concealing palpably and shamefully his adversary's reasons, and declining the heat of [Yet to the proofs brought forward he answereth nothing.]

[x] [See Schism Dispatched, sect. 2. p. 519; and above, p. 508.]
[y] [Schism Dispatched, sect. 3. p. 523.]
[z] [Ibid., sect. 1. p. 503.]
[a] [Terent., Eunuchus.]

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[b] [Just Vindic., c. iv. vol. i. pp. 129, &c.]
[c] [Ibid., pp. 138—141, 143—148.]
[d] [Ibid., pp. 135, 136. 141.]
[e] [Ibid., p. 136. note n.]
[f] [Ibid., pp. 139, 140.]

Henry the Eighth's laws were no new laws devised by himself, but were the laws of these ancient kings renewed by him, or rather the fundamental laws and liberties of England, exposed by these ancient kings as a buckler against the encroachments of the Roman Court.

Now to all this clear evidence what answer doth Mr. Serjeant make? Just Thraso-like, when the matter comes to push of pike, he sneaketh away "*post principia*[g]," into the securest place he can find. Speak the truth in earnest; "did Pyrrhus use to do thus[h]?" It is not possible to squeeze one word of particular answer out of him: only in general he saith, I "bring divers allegations, wherein the Pope's pretences were not admitted," &c.; and so proceedeth, "do we profess the Pope can pretend to no more than his right?" &c.[i] Laws and records are but bare "allegations" with him; and prohibiting under pain of death or confiscation of goods is no more but "not admitted." Speak out, man, and shame the Devil; whether did the Pope "pretend more than his right" or not? whether were the ancient English laws just laws or not? This is certain, his pretensions and these laws cannot both be just. The very substance of his monarchical power in the exterior court is prohibited by these laws; his sovereign power or patronage of the English Church, his judiciary power, his legislative power, his dispensative power, all are lost if these laws stand. All which Mr. Serjeant blancheth over with this general expression, "such and such things[k]." Will the Court of Rome thank "such and such" an advocate, who forsakes them at a dead lift? I trow, no.

366 And although I called upon him in my Reply[l] for a fuller and more satisfactory answer to these laws, yet he giveth none in his Rejoinder, but shuffleth up the matter in generals. "As for his particularities entrenching on, or pretended to entrench on, the Pope's authority; whether they were lawfully done or no, how far they extended, in what circumstances or cases they held, in what not, how the letter of those laws are to be understood, &c.; all which the Bishop omits, though he express the bare words; it belongs to canon

[But leaves the defence of his cause to "canon and secular lawyers."]

[g] [Terent., Eunuch., IV. vii. 11.]
[h] [Id., ibid. 13.]
[i] Down-Derry, p. 311.
[k] [Ibid., p. 312.]
[l] [Reply to S. W., sect. 3; above, pp. 296, 297.]

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and secular lawyers to scuffle about them, not me: I hold myself to the lists of the question, and the limits of a controvertist[m]." Yes, even as Thraso "held himself to the lists," when he stole behind the second wards. This is neither more nor less but flat running away, and crying to the canonists for help. If the subject be improper for him, why did he undertake it? and not try first

"———Quid ferre recusent,"
"Quid valeant humeri[n].———"

Why did he undertake it with so much youthful confidence, and insulting scorn and petulance, to accuse his adversary of "impudence[o]?" And as if "impudence" were too "moderate a character" for him, as a "profest and sworn enemy of truth, shame, and honesty[p];" making him worse than a "mad man or born fool[q]." And all this, for pretending that Henry the Eighth did "no more" against the Papacy "than his ancestor kings had done before him." And now, when his cavils are thrust down his own throat, when the "impudence" is brought home to him and laid at his own door, when the very laws of his ancestors are produced wherein they provided the same remedies for the Roman Court that Henry the Eighth did; he would withdraw his own neck out of the collar, and leave the defence of his cause "to the canon and secular lawyers, to scuffle about" the sense of these ancient laws, and "whether they were lawfully done or no, and how far they extended, and in what cases they hold, in what not." And this is all the answer, which he vouchsafeth to these ancient English laws: that is as much as to say, he knoweth not what to answer, or it doth not "belong to" him to answer: and this he calleth "holding himself to the lists of the question," but all other men call it leaping out of "the lists of the question," and a shameful deserting the cause he had undertaken to defend.

[Henry VIII.'s statutes declarative, not operative.]

I ever acknowledged, that Henry the Eighth made sundry new statutes against the usurpations of the Court of Rome; but I add, that these statutes were declarative of old law, not

[m] [Schism Dispatched, sect. 3. p. 532. "though he *press* the bare words," &c.]
[n] [Horat., A. P. 39, 40.]
[o] [Schism Dispatched, sect. 3. p. 523.—Down-Derry, p. 311.]
[p] [Schism Dispatched, sect. 3. pp. 523, 526.]
[q] [Ibid., p. 530.]

enactive of new law. This is as clear as his "noon-day light." And I proved it by the authority of two of our greatest lawyers, Fitz-Herbert and my Lord Coke, persons sufficient to know the difference between a statute declarative of old law and a statute enactive of new. Secondly, I proved it by one of the principal statutes themselves; those terms of law which declare old law, are not the same with those which enact new law. This proof is demonstrative. He urgeth, "if there were something new, it was new, and a statute we Englishmen use to term a law[r]." So if he new turn his coat, there is something new, yet "we Englishmen" say, his coat is an old coat for all that. Magna Charta, or the Great Charter of England, is an old law, yet it hath been renewed or newly declared by almost every succeeding king. New statutes may declare old laws.

[Fitz-Herbert and Lord Coke.]

He saith I cite "two Protestants, Fitz-Herbert and my Lord Coke," both of mine "own party," to "speak in behalf of Protestants[s]."

I cite no Protestants as Protestants, nor to speak for Protestants, nor as witnesses in any case in difference between Protestants and Papists: but I cite two great English judges, as judges, to speak to the difference between a declarative statute and an enactive statute by the law of England; and who could be so proper witnesses of the law of England as they? Secondly, who told him that Fitz-Herbert was a Protestant? No more a Protestant than himself, for any thing that ever I could perceive. He was a great judge, lived in Henry the Eighth's time, and writ sundry works. Where he setteth down the charge against a Papist, he doth it in such a manner that it can hurt no man, except he will confess himself to have done what he did "obstinately" and
367 "maliciously;" but where he setteth down the charge of a Justice of Peace against heretics or Lollards, he giveth it home[t]. But Mr. Serjeant hath the art to make Protestants or Papists of whom he list, so it serve his present turn. Thirdly, though Fitz-Herbert and my Lord Coke had said nothing, yet the case is as clear as the light, that this very

[r] [Ibid., p. 524.]
[s] [Ibid.]
[t] Fitz-Herbert, [l'Office de Justices de Peace,] the Charge, [fol. 123, 2. 143, 1. 144. 1. 2. Engl. translat., Lond. 1541. And see his Life in the Biogr. Britann., in fine.]

PART I. [The evidence of one of the statutes themselves.]

statute is declarative of old fundamental law, not enactive of new law. And this I prove, first, by view of the statute itself. He that hath but half an eye in his head, may easily discern the difference between an enactive statute and a declarative statute: an enactive statute looketh only forward to the time to come, and meddleth not at all with the time past; but a declarative law looketh both ways, backwards and forwards, forward to the time to come, and backward to the time past. Again, the very form and tenor of the words is not the same in an enactive statute and in a declarative statute: an enactive statute regardeth only what shall be, but a declarative regardeth what is, and what hath been; an enactive statute createth new law by the authority of the present lawgiver, a declarative statute confirmeth old law, and is commonly grounded upon the fundamental constitution of the kingdom. Now then let us take a view of this very law.—"By divers old authentic histories and chronicles it is manifestly declared, that this realm of England is an empire, and so hath been accepted in the world, governed by one supreme Head and king," &c.; "unto whom a body politic, compact of all sorts and degrees of people, divided by names of spiritualty and temporalty, owe next to God a natural obedience, he being instituted by the goodness of God, with plenary power to render final justice for all matters[u]." You see plainly, that this statute looketh both ways, forward and backward, and doth not only create new law, but also declare what hath been, what is, and what ought to be, the perpetual law of England. "By divers old authentic histories and chronicles it is manifestly declared," &c.;—then it is manifest that this is a declarative law.

He saith, I "quote the schismatical king himself, and the schismatical Parliament, to speak in their own behalf[x]."

By his leave, he is mistaken; I ground not my reason upon the authority of the king and Parliament, but upon the form or tenor of the statute—whether these words do contain the form of an enactive statute, or a declarative statute. Secondly, if I did so, yet he hath no reason to complain of it, who maketh the Pope and his council to be the last judge in his own case. Thirdly, I shall be bold to screw up this

[u] 24 Hen. VIII. c. 12. [§ 1.] [x] [Schism Dispatched, sect. 3. p. 524.]

pin a note higher, and tell him, that if Henry the Eighth did make himself the last judge in those differences between him and the Papacy, which concerned the Church and kingdom of England, he did no more than many other Christian kings and princes have done before him: as I have shewed in the Empire, Spain, Italy, Brabant, &c. Fourthly, if that which was decreed in this law, was decreed in former laws, standing in full force and unrepealed, then it is not enactive of new law, but declarative of old law; but I have produced him the laws themselves, wherein the self-same things have been decreed, and he turneth his back upon them, and referreth us to the canonists for an answer. Lastly, it is so far from being true, that those statutes made by Henry the Eighth were new laws, that those ancient statutes of Clarendon, of Carlisle, the Articles of the Clergy, the Statutes of Provisors, were no new laws when they were made, but new declarations of the fundamental laws of England, or of the original constitution of the English empire; as appeareth undeniably by the Statutes of Clarendon, the Statute of Carlisle, and the Statutes of Provisors; wherein the same truth is affirmed as positively as I can do it.

[Mr. Serjeant's extreme carelessness.]

But now, reader, wilt thou see a convincing proof of the extreme carelessness and unconscionable oscitance of this great champion; who writeth his answers at random, and never so much as readeth what is objected against him. I cited two statutes, the one of 24 Hen. VIII. cap. 12, the other of 16 Ric. II. cap. 5 [y]. The printer citeth them right in the margin, but a little confusedly: but when Mr. Serjeant cometh to answer them, he confoundeth them indeed, attributing Richard the Second's statute to Henry the Eighth. And lest any man should excuse him and say it was the fault of the printer, hear him;—"he allegeth another statute made in the 24th of Henry the Eighth [z]." Yes, well guessed: otherwise called the 16th of Richard the Second. And a little after, "what matters it what this statute says, being made two years after his unlawful marriage with Anna Bullen [a]?" I know not where he learned this, except it was

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[y] [In Reply to S. W., sect. 3; above pp. 296, 297.]

[z] [Schism Dispatched; sect. 3. p. 524.]

[a] [Ibid., p. 525.]

PART I.

from the old puppet-player, who would have Queen Dido to be Richard the Third's mistress; he might perchance have such another odd fancy, that Richard the Second was Anne Boleyn's servant. That which I observe in earnest is this, that he answereth at random to he knoweth not what, and never peruseth that which is objected against him. If it had been some rare piece that was cited, that he could not have come by it, it had been the more pardonable: but it is an English statute; which he might have found in every book-binder's shop, in every lawyer's study, in every Justice of Peace's closet. And yet he is as confident as Gawain; "the best" statute "he could pick out you may be sure [b]." How doth he know that? We all see he never read it, nor knoweth whether it be a statute or no. Then he telleth us, "there is not a syllable in it concerning spiritual jurisdiction [c]." Well guessed by instinct; but for once his instinct hath deceived him; if excommunication be any part of "spiritual jurisdiction," there is more than one "syllable of spiritual jurisdiction" in it. But concerning our English statutes, both ancient and new, which concern the casting of Papal authority out of the kingdom, I have given him a full satisfactory account formerly [d]; to which I refer him.

[We deny Papal power altogether in the exterior court, but we do not deny *all* Papal power altogether.]

We have seen how carcless he is in reading over laws before he answer them: now let us observe the same oscitance or want of ingenuity towards his adversary; that he may learn what he gets by his "falsifications,"—

"Nempe hoc quod Veneri donatæ a virgine pupæ [e],"—

real falsifications retorted upon him instead of his feigned ones. He answered, that "to limit an authority implies an admittance of it in cases to which the limitation extends not [f]." I replied, that these ancient laws of England did not only limit an authority, but deny it, that is, deny it in such and such cases mentioned in the laws, deny it coactively in the exterior court without the leave of the sovereign prince [g]. So the laws may differ, the restraints may differ,

[b] [Schism Dispatched, ibid., p. 524.]
[c] [Ibid.]
[d] [Above, sect. i. cc. 4—9. pp. 394, &c.]
[e] [Pers., Sat. II. 70.]
[f] [Down-Derry, p. 312.]
[g] [Reply to S. W., sect. 3; above pp. 298, 299.]

the leave may differ, in degrees, according to the difference of places, notwithstanding this denial. That which he beateth at is this, that we deny all Papal power whatsoever, but other Churches do only limit it[h]. I answer, we do not deny the Bishop of Rome all manner of power; we deny him not the power of the Keys, we deny him not any power purely spiritual, we deny him not his 'beginning of unity,' if he could be contented with it; but we deny him all coactive power in the exterior court over the subjects of other princes without the sovereign's leave. If some princes give more leave than others, as finding it more expedient for their affairs, we do not envy it.

[Of the law of Mortmain.]

But he urgeth, that I "do not deny equivalent laws in France, Spain, Germany, Italy[i]." I neither deny it, nor affirm it, or I affirm it only in part; "Yes, there are some such laws in all these places by him mentioned, perhaps not so many, but the liberties of the French Church are much the same with the English[k]." "Some such laws"—"not so many"—"much the same," are no proofs of "equivalence;" or if he will call them "equivalent," it is only *secundum quid*, not *simpliciter*; respectively in some cases, not universally in all cases. But he hath another place, which striketh home, where I affirm that "the like laws may be found in Germany, Poland, France, Spain, Italy, Sicily, and if we will trust Padre Paolo, the Papacy itself[l]." But did either I or Padre Paolo speak of those ancient English laws by me cited, made to restrain the usurpations of the Bishops of Rome? So he saith, but it is a gross falsification. I did neither speak of them in that place, nor Padre Paolo; but we both speak of another law of a quite different nature from these, that is, the law of Mortmain; a law merely political, to restrain men from giving lands to the Church without license. Of this I said there are found "like laws" to it "in Germany, Poland, France, Spain, Italy, Sicily," and Padre Paolo addeth, in "the Papacy itself." What an adversary have I to deal with, who either understandeth not

[h] [See Down-Derry, pp. 311, 312.—Schism Dispatched, sect. 3. p. 526.]

[i] [Down-Derry, p. 312.]

[k] Reply [to S. W., sect. 3; above] p. [299; and Schism Dispatched; sect. 3. p. 526.]

[l] [Just] Vindic., [c. iv. vol. i.] p. [142.]

PART 1. what the law of Mortmain is, or regardeth not how he falsifieth his adversary's words?

[Mr. Serjeant's objections answered.] But from these mistaken and misshapen premisses he draweth ten conclusions; every one of them driving me to a "contradiction" or "absurdity" at least. 369

The first, second, third, and fourth, are the same in effect, or all comprehended in the first, that "it is opposite to the general opinion of the whole world, Catholics, Protestants, Puritans[m]." Secondly, that "it is against the profession of the Protestants, who" extol "that happy time when England was freed from the yoke of Rome[n]." Thirdly, that "it contradicts" our "Reformation in the point of the Pope's supremacy; . . there could be no reformation of that which was not otherwise before; . . and therefore Henry the Eighth added something of his own to these ancient laws[o]." Fourthly, he saith, that "Dr. Hammond acknowledgeth, that Papal power was cast out of England in Henry the Eighth's days[p]." And the sixth is, that "this position is particularly opposite to the common consent of the Catholic countries, who all looked on Henry the Eighth" and the Church of "England ever since as schismatical[q]." Doubtless he meaneth *Roman* Catholic countries. Was it not enough to say, that it was contrary "to the general opinion of the whole world," unless he added Protestants, and Reformers, and Dr. Hammond, and Roman Catholics, as if they were none of the world? Reader, I undertook to prove, that Henry the Eighth's laws against the usurpations of the Roman Bishop were no new laws but ancient laws of England; I have done it by producing the ancient laws themselves, five or six hundred years old; and I am yet ready to shew further, that they were no new laws then, but the fundamental laws of England, derived from the first founding of the British and English Churches as to the substance of them. To all my premisses or "particularities" (as he calleth them) he hath been able to answer nothing, but "leaves them to the canon and secular lawyers to scuffle about them;" but he utterly denieth my conclusion: what an

[m] [Schism Dispatched, sect. 3. pp. 526, 527.]
[n] [Ibid., p. 527.]
[o] [Ibid.]
[p] [Ibid., p. 528. See above, p. 464. note y.]
[q] [Ibid.]

absurdity that is, he is not ignorant. But alas! what doth the world know of the municipal laws of England, until we instruct them better? and what opinions can foreigners have of us, but what they learn from him and his fellows? We acknowledge with Dr. Hammond, that Papal usurpations were "cast out of England in Henry the Eighth's" time; but we add, not by the creation of new laws, but by the vigorous execution of the ancient laws, being first renewed and confirmed by himself. We acknowledge, that Henry did finally shake off "the yoke of Rome;" which could not have been done, if there had been nothing to have been shaken off or reformed: but this doth not hinder, but that his predecessors did attempt to shake it off long before, even at the first appearing of it; yea, and did actually shake it off for a time in a great part.

His fifth objection is, that "according to" me "the laws made by Henry the Eighth did no more than the former laws[r]."

Where did I say so? Until he is able to shew it me (which I shall expect at the Greek Calends), I shall score it up among his lesser "falsifications." And for his inference which he makes,—that he "never heard it pretended" that they did shake off the Roman yoke in part, or for a time, therefore they did it not[s],—it sheweth but his ignorance in the laws and histories of his native country. If he had perused them diligently, he might have observed how the Court of Rome and Crown of England were long upon their guards watching one another; and the one or the other gained or lost mutually, according to the vigour of their present kings or Popes, or according to the exigence of the times.

His seventh objection, that 'the like laws to ours in England were made in the Papacy itself, but those could not be against the Pope's Headship of the Church[t];' and his tenth objection, that then there "never was a Papist country in the world," because "equivalent laws" to ours were made "in France, Spain, Italy, Sicily, Germany, Poland, &c.[u];" and his answer to my demand, "what lawful jurisdiction could remain to the Pope in England," where such and such

[r] [Ibid.]
[s] [Ibid.]
[t] [Ibid., pp. 528, 529.]
[u] [Ibid., p. 530.]

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laws had force?—"the same that remains still to him in France, Spain, Italy, where the like laws are in force[x]," in his last paragraph;—are a dish of unsavoury mushrooms, all sprung up from his own negligent mistake or wilful falsification (let him choose whether he will) in confounding the laws of Mortmain with the other laws against the Pope's usurpations; which I distinguished exactly both at the beginning of that discourse,—"the Statute of Mortmain justified[y],"—and at the conclusion,—"But to leave this digression[z]." 370

But besides this gross error there want not other inconsequences and fallacies in his discourse: as in his seventh objection[a], from the Pope's particular Headship of his own Church to an universal Headship over the Catholic Church, and from a Headship of order to a monarchical Headship of power; and in his tenth objection[b], from "like laws" to the "same" laws, from laws made to laws duly observed;—we had laws made against non-conformists in England; will he conclude thence, that we have no non-conformists in England? the argument would hold better the contrary way; '*ex malis moribus bonæ leges*;'—and in his last paragraph[c], from coactive jurisdiction in the exterior court to jurisdiction purely spiritual in the court of conscience; and from coactive jurisdiction with the leave of the prince to the same without leave. We see all Roman Catholic countries do stint the Pope's coactive jurisdiction over their subjects more or less, according to their several liberties; which they could not do at all, if he held it "by Christ's own ordination."

His eighth objection,—that "upon this new law made by Henry the Eighth England stood at another distance than formerly from Rome[d]"—is a fallacy '*non causæ pro causâ*,' when a false cause is assigned for a true cause. Our just laws are not the right cause of our distance from Rome; but the Pope's unjust censures, and that character which some of our countrymen give of us. But this distance is greater among the populacy than between the states, who do not

[x] [Ibid., p. 532; from Reply to S. W., sect. 3, above p. 298.]
[y] [Just] Vindic., [c. iv. vol. i.] p. [111. margin.]
[z] [Just] Vindic., [ibid.] p. [143].
[a] [Schism Dispatched, sect. 3. pp. 523, 528.]
[b] [Ibid., p. 530.]
[c] [Ibid., pp. 532, 533.]
[d] [Ibid., p. 529.]

much regard the Pope's censures, either in making or observing of leagues.

To his ninth objection in his order, and his last in my order,—that "this position takes away the question, and makes all the controvertists in England on both sides talk in the air," because it makes the Pope to have "had no authority there to be cast out[e]"—I answer, I wish it did, but it doth not. The Pope had authority there, and authority usurped fit to be cast out, notwithstanding our former good laws. But yet I must confess "this position" doth much change the question, from spiritual jurisdiction in the inner court to coactive jurisdiction in the exterior court; and makes him and many other such controvertists "talk in the air," who dispute only about "Headships" and "first moverships," when the true controversy lieth in point of interest and profit.

SECTION IV.

THAT THE BRITANNIC CHURCHES WERE EVER EXEMPTED FROM FOREIGN JURISDICTION FOR THE FIRST SIX HUNDRED YEARS, AND SO OUGHT TO CONTINUE.

[Argument of the fifth chapter of the Just Vindication.]

AFTER I had shewed the equality of the Apostles, except only a priority of order; and that the supremacy of power did not rest in any single [Apostle but in the] Apostolical College; that national Patriarchs were the highest order constituted by the Apostles in the Church; and how some Patriarchs came to be advanced above others; with the true dignity or preeminence of Apostolical Churches[f]: the sum of all the rest of this section might be reduced to a syllogism.

Those Churches, which were exempted from all foreign jurisdiction for the first six hundred years, cannot be subjected to any foreign jurisdiction for the future against their own wills.

[e] [Ibid., pp. 529, 530.]

[Just Vindic., c. v. vol. i. pp. 152—156.]

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But all the Britannic Churches were ever exempted from foreign jurisdiction for the first six hundred years[g].

The major proposition was proved by me undeniably, out of the first general Council of Ephesus[h]; to which Mr. Serjeant hath objected nothing. Next I proved the minor. First by prescription[i]. '*Affirmanti incumbit probatio*'—'the burden of the proof' in law 'resteth upon the affirmer;' but they are not able to shew so much as one single act of jurisdiction, which ever any Bishop of Rome did in Britain for 371
the first six hundred years. Secondly, I proved it from the antiquity of the Britannic Church; which was ancienter than the Roman itself, and therefore could not be subject to the Roman "from the beginning[k]." Thirdly, because the Britannic Churches sided with the Eastern Churches against the Roman, and therefore were not subject to the Roman[l]. Fourthly, because they had their ordinations ordinarily at home, which is an infallible sign of a free Church subject to no foreign jurisdiction[m]. Lastly, because they renounced all subjection to the Bishop of Rome[n]. I am forced to repeat thus much to let the reader see the contexture of my discourse, which Mr. Serjeant doth whatsoever he can to conceal, or at least to confound and disjoint.

Out of this he picketh here and there what he pleaseth.—

[The Church of England includes the British and Scottish Churches.]

First, he pleadeth, that my title is the "Vindication of the Church of England" but "the Church of England can derive no title from the Britannic" (or Scottish) "Churches[o]."

He never read, or quite forgetteth, the state of the question. I will help his memory. Let him read the Vindication;—"By the Church of England we understand not the English nation alone, but the English dominion, including the British, and Scottish or Irish, Christians[p]." So at unawares he hath yielded the Bishoprics of Chester, Hereford, Worcester (for all these were suffragans to Caerleon[q]), Wales, Cornwall, Ireland, Scotland, with all the adjacent islands, that is to say, two third parts of the English dominion.

[g] [Ibid., pp. 156, &c.]
[h] [Ibid., pp. 156-158.]
[i] [Ibid., pp. 158, 159.]
[k] [Ibid., p. 160.]
[l] [Ibid., pp. 160, 161.]
[m] [Ibid., pp. 161, 162.]
[n] [Ibid., pp. 162—164.]
[o] [Schism Dispatched, sect. 4. pp. 533, 534.]
[p] [Just] Vindic., [c. ii. vol. i.] p. [113.]
[q] [See Ussher, Antiq. Britan. Eccl., c. v. pp. 89, 90; from Hoveden, Annal. P. poster., in an. 1199. p. 798.]

Secondly, he pleadeth, "that for this many hundred years they acknowledged the Pope's authority, as well as the Church of England[r]." Discourse IV.

[No act of Papal jurisdiction in the Britannic islands for the first six hundred years.]

I answer, that this will do him no good; nor satisfy the general Council of Ephesus at all; which hath decreed expressly in the case of "the Cyprian prelates," and they command "the same to be observed in all provinces," that "no Bishop occupy another province, which formerly and from the beginning was not under the power of him or his predecessors; and if any do occupy another province" (as in this case), "let him restore it, that the canons of the Fathers be not slighted[s]." But they who never exercised one act of jurisdiction in the Britannic island[s] for the first six hundred years, cannot pretend that it was under their power in the time of the Council of Ephesus, or long after. It was not for nothing that he concealed the words of the Council.

Yet he asketh, "what do the Scots concern the Church of England's vindication[t]?"

[The Scots a part of the Britannic islands.]

Do they not? Are not the Scots a part of the Britannic islands, and so comprehended under the name of the Church of England in this question? Besides, he must know that I challenge some interest among the Irish-Scots, from whom I derive my Episcopal orders. Against the Irish ordination never any man had any pretence of exception to this day. The Irish were the ancient and principal Scots, and the Britannic Scots a colony derived from them. That they are the ancient Scots, who did join with the Britons in not submitting to the See of Rome, I shall shew him clearly from the authority of Lawrence, successor to St. Austin in his Archbishopric, and the other English Bishops of that age, in their letter to the Bishops of Scotland;—"To conclude, he took not only care of the new Church collected of the English, but of the old inhabitants of Britain, and also of the Scots who inhabit Ireland, the next island to Britain; for as soon as he knew that their life and profession in their country was like that of the Britons in Britany not eccle-

[r] [Schism Dispatched, sect. 4. p. 534.]

[s] Concil. Ephes. P. i. Act. 7. [ap. Labb., Concil., tom. iii. p. 802.]

[t] [Schism Dispatched, sect. 4. p. 534.]

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siastical," &c.[u],—that is to say, not Roman. He seeth I had some reason not to leave out the Scots.

[The Mercians and Northumbrians had their ordination from the Scots, never from the Bishop of Rome.]

Besides the Britons, the Scots, and the Irish, I urged that "the great kingdoms of Mercia and Northumberland were converted by the Scots, and had their religion and ordination first from the Scots, afterwards among themselves, without any foreign dependence, and so were as free as the Britons[x]." He saith "all the force lieth in these words 'without any foreign dependence,' which" I "obtrude upon them without any proof[y]."

His mistakes are infinite; my proof is demonstrative. They who had their first ordination from the Scots, and ever after were ordained among themselves, never had any ordination from the Bishop of Rome; and consequently were never subject to the jurisdiction of the Bishop of Rome; for it is a maxim in the law, and is most evident in the case of the Cyprian Bishops in the Council of Ephesus, that 'the right of jurisdiction doth follow the right of ordination.' And if it were not so, yet what man in his right wits could imagine, that the Scots, who were the converters, should 372 renounce subjection to the Bishop of Rome themselves, and teach their converts, the Mercians and Northumbrians, to submit to the Bishop of Rome? But if I had said no more, but only that they were "without any foreign dependence," it had been enough on my part. It belongeth not to me to prove a negative, and such a continued negative as this is; but the burden of the proof resteth wholly upon him, both in reason and law, to prove his affirmative,—that the Mercians and Northumbrians did depend upon the Bishop of Rome in those days, in point of practice, for ordination and jurisdiction; which he is not able to do. What he addeth, that I said ordination "is nothing at all to jurisdiction," is for want of understanding, because he is not able to distinguish between the right of ordination, and the act of ordaining. We attribute to the Scots the act of ordaining, not a superior right of ordination.

[Many British

In the next place, I urged, that "a world of British Chris-

[u] Bed., Hist. Eccl., lib. ii. c. 4.
[x] [Reply to S. W., sect. 4; above p. 300.]
[y] [Schism Dispatched, sect. 4. p. 535.]

tians" stayed behind among the Saxon conquerors, every where all over England, "such whom they had no cause to fear" for their power, activity, or influence upon others; which "poor conquered Christians" had a right to "the just privileges of their ancestors[z]." He would persuade us, first, that 'all of them, or all except some few, fled into Wales or Cornwall[a].' Discourse IV. Christians remained among the Saxons.]

What to do? To be repacked there as herrings? or like camelions to live upon the air, and leave all the rest of the kingdom desolate? It was not ten, or twenty, nor a hundred, nor a thousand little vessels, could bring over Saxons enough with their wives and children and servants, to plant the kingdoms of England. We see daily, that the very armies of such conquerors do consist for the greater part of natives, and that it is not their foreign numbers, but their military skill and resolution, which gaineth them the victory. Look upon all the kingdoms of the world, Italy, Spain, France, England, &c.; and what are they but mixed societies of foreigners and natives, conquerors and conquered persons, now incorporated with little or no distinction by long tract of time? After the Norman Conquest hundreds of English inhabited England for one Norman. In the beginning of the late insurrection in Ireland, notwithstanding those great numbers which came over daily into Ireland [from [b]] Scotland, to seek for plantations, for thirty or forty years together, yet there were ten Irish for one English and Scotch: and yet we do not find, that these Saxon wars were so bloody as the Irish wars, or that either they persecuted the persons of the Britons with cruelty, or so much as demolished their churches.

But he supposeth, that if there were any such British Christians, yet they became "subject to the Pope[c]." [And transmitted their privileges.]

I believe some of them were "subject to the Pope" as to the Bishop of their Mother Church, and all of them as to the Bishop of an Apostolical Church, that is, to be guided by his grave advice and direction; but I deny, that ever the Saxon bishops were subject to the Pope as to an absolute

[z] [Reply to S. W., sect. 4; above, p. 300.]

[a] [Schism Dispatched, sect. 4. p. 535.]

[b] ["And," in all the editions.]

[c] [Schism Dispatched, sect. 4. p. 536.]

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monarch "by Christ's own ordination," or that the Pope enjoyed the sovereign patronage of the Saxon Church, or the supreme legislative, judiciary, or dispensative power over it. This the Saxon kings and their Bishops under them ever enjoyed, as the Britons did before them; and this is all which our kings desire, or we claim for them. If he have any thing to say to this point, let him bring authorities, not words.

He saith, this "is all one, as if some few men settling by accident in France should pretend an exemption from the French laws," and expect English "privileges[d]."

Nay, it is clear contrary: as if some Frenchmen, coming into Britain, and planting and propagating there, should expect the British privileges to their posterity. So the Saxons, planting in Britain, so soon as their posterity was capable of them by becoming Christians, might justly claim the liberties and privileges of British Christians.

[Conquerors may and do change the external policy of the Church.]

I said, "the Saxon conquest gave them as good title to the privileges as to the lands of the Britons[e]." He styleth it, a "rare" reason, "as if" I meant "that ecclesiastical jurisdiction were a thing of that nature to be won by the sword[f]."

Or rather as if he meant coactive jurisdiction in the exterior court, and jurisdiction purely spiritual, which Christ left unto His Church, is all one. I do not mean, that power purely spiritual is to be won by the sword; but I believe, that exemption from coactive power in the exterior court is 373 to be won by the sword. So the Scots eased the Archbishop of York of the trouble of a great part of his province[g]. So just conquerors may, and do often, change the external policy of the Church, for the public good.

[Many English Bishops have received orders from the British Bishops.]

He bids me "shew, that the" English "Bishops were empowered by the British Bishops, or else let" me "confess that they could inherit no privileges from them[h]."

I can shew him, that I myself was "empowered," and did receive my Episcopal ordination from the ancient Scotch

[d] [Schism Dispatched, sect. 4. p. 536.]
[e] [Reply to S. W., sect. 4; above p. 301.]
[f] [Schism Dispatched, sect. 4. p. 536.]
[g] [See Replic. to the Bp. of Chalced., c. vi. sect. 1; above p. 181. note d.]
[h] [Schism Dispatched, sect. 4. p. 537.]

Bishops by an uninterrupted succession; and many English Bishops have received their orders mediately or immediately from the British Bishops. DISCOURSE IV.

I said most truly, that "before he can allege the authority of the Council of Sardica" for appeals to Rome, "he must renounce the Divine institution of the Papacy," or at least the Divine right of the Bishop of Rome to the Papacy; "because that canon submitted it to the good 'pleasure' of the Fathers, and grounded it upon 'the memory of St. Peter,' not the institution of Christ[1]." The reason of this consequence is most evident. For the Council of Sardica would not nor could have submitted that, which is the Pope's right "by Christ's own ordination," to the good 'pleasure' of the Fathers, whether he should have it or not; nor would have assigned their respect to "the memory of St. Peter" for a ground of that, for which they had the commandment of Christ:—but the Council of Sardica did submit the Pope's right to receive appeals to the good 'pleasure' of the Fathers, "*Placetne*"—"doth it please you that we honour the memory of St. Peter?"—therefore they did not hold this right of the Pope to receive appeals to be due to the Pope "by Christ's own ordinance" or commandment. This he is pleased to call "a flat falsification of the Council, there being not a word in it either concerning Papal power itself or its institution, but concerning appeals only[k]." I am grown pretty well acquainted with his "falsifications." Did I say there was any thing in the Council "concerning the Papacy" or "institution of it?" If I did, let him tell us where and when, or else it is his own "falsification." But by his own confession there is something in the Council "concerning appeals" to the Pope; and this is submitted by the Council to the good 'pleasure' of the Fathers, and no higher ground assigned for it than the respect to "the memory of St. Peter:"—yet this right of receiving appeals is made by him and all his partakers an essential branch of Papal power:—therefore, if he and his partakers say true, the Council of Sardica did submit an essential branch of Papal power (or Papal power

[The Sardican canon inconsistent with the Divine right of the Papacy.]

[1] [Reply to S. W., sect. 4; above p. 301: from Concil. Sardic. can. 3, ap. Labb., Concil., tom. ii. pp. 628, 629.]

[k] [Schism Dispatched, sect. 4. pp. 537, 538.]

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in part) to the good 'pleasure' of the Fathers; which is as much as to say, they held it not to be of Divine institution. By this time I hope he understandeth my meaning better.

[British Bishops in the Council of Sardica.]

He presumeth, that some British Bishops sate in the Council of Sardica[l]; it may be Athanasius intimateth as much[m]. He presumeth, that "they assented to" the Sardican canon about appeals[n]. It may be, or it may not be. I should rather assent to their voting to acquit Athanasius, who testifieth of them that 'they were right to the Nicene Faith[o].' But, surely, among all the subscribers in the Sardican Council there is not one British Bishop named[p]. And in the synodal letters of the Council itself, wherein they reckon all the provinces, Britain is not named[q]. But what is the right of receiving appeals to an universal monarchy, or the decree of the Council to "Christ's own ordination?" If we would be contented to abrogate our old laws and give the Bishop of Rome leave to execute that power which the Sardican Fathers did give him, he would scorn it; and much more their manner of giving it,—"*Si vobis placet*"—"If it please you," or, "if it seem good to your charity, let us honour the memory of St. Peter," as both the Latin and Greek edition have it[r].

[How far the Council of Sardica a general Council.]

I said, that "the Council of Sardica was no general Council after the Eastern Bishops were departed[s];" not out of any ill will to Athanasius, or favour to the Arians (as for Arianism, the Sardican Fathers did no more than the Nicene had done before them), but out of another consideration—because the presence of the five great Patriarchs with their respective Bishops, or at least the greater part of them, was evermore held necessary to the being of a general Council; as Bellarmine himself confesseth, that "the seventh synod judged the Council of Constantinople against images to have been no general Council, because it had not Patriarchs

[l] [Schism Dispatched, sect. 4. p. 538.]

[m] [Athanas., Apolog. Cont. Arian., § 1; Op. tom. i. P. i. p. 123. D. ed. Bened.]

[n] [Schism Dispatched, sect. 4. p. 538.]

[o] Epist. ad Jovian., [§ 2, Op. tom. i. P. ii. p. 781. B.]

[p] [Act.] Concil. Sardic. [ap. Labb., Concil., tom. ii. pp. 658, 659, 662, 663. But see Ussher, De Primord. Britann. Eccl., c. viii. pp. 196, 197.]

[q] [Act. Concil. Sardic., ap. Labb., ibid., pp. 677—680.]

[r] [Ibid.] cap. 3. [ap. Labb., ibid. pp. 628, 629; et Crabb., Concil., tom. i. p. 330.]

[s] [Reply to S. W., sect. 4; above p. 301; quoted in Schism Dispatched, sect. 4. p. 538.]

enough [t]." If the Council of Sardica had been a general
374 Council, why do St. Gregory the Great [u], Isidore [x], and Venerable Bede [y], quite omit it out of the number of general Councils? Why did St. Austin [z], Alypius [a], and the African Fathers [b], slight it? And (which is more than all this) why do the Eastern Church not reckon it among their seven general Councils [c], nor the Western Church among their eight first general Councils [d]? To conclude, why did the English Church leave the Sardican Council out of the number of general Councils, in the Synod of Hedtfeld in the year 680, and embrace only these for general Councils until that day—the Council of Nice, the first of Constantinople, the first of Ephesus, the Council of Chalcedon, and the second of Chalcedon [e]? Here he may see a plain reason, why I say the Council of Sardica was never "incorporated into the English laws." I would know whether he or I be of the old English religion in this point. The five first general Councils were incorporated into the law of England; but the Council of Sardica was none of them; therefore no general Council. I have given him a further account concerning this Council Sect. i. c. 7 [f]; to which I refer him.

[The canons of the Sardican Council never received in England.]

I said, and I said most truly, that "the canons of the Sardican Council" touching appeals "were never received in England, nor incorporated into our English laws [g]." For proof hereof, I bring him an evident demonstration out of the fundamental law of England, as it is recorded in that famous Memorial of Clarendon; 'All appeals in England must proceed regularly from the Archdeacon to the Bishop, from the Bishop to the Archbishop, and if the Archbishop failed to do justice, the last complaint must be to the king,

[t] Bellarm., De Concil. lib. i. c. 17. [Op. tom. i. p. 1136. B.]

[u] [Epist., lib. i. Ep. 25; Op. tom. ii. p. 515. B.: &c.]

[x] [Isid. Hispal., Orig., lib. vi. c. 5. Op. p. 48. F, G. Colon. 1617.]

[y] [De Temporibus, c. 22; Op. tom. ii. p. 124.]

[z] [Cont. Crescon. Donatist., lib. iii. c. 34. § 38. et lib. iv. c. 44. § 52. Op. tom. ix. pp. 454. B, 509. A, B.]

[a] [Ap. August., Epist. xliv. c. 3. § 6. Ad Eleus., Glor. &c.; Op. tom. ii. p. 103. C—F.]

[b] [See above, sect. i. c. 1. pp. 374, 375. note a; see also the history of this Council in Labb., tom. ii. pp. 626, 628; and Beveridge, Synodic., Annot. p. 199.]

[c] [See Smith, De Eccl. Græc. Hodiern. Statu, pp. 157, 158. ed. 1698; and Palmer, On the Church, P. iv. c. x. sect. 4.]

[d] [Decret., P. i. Distinct. xvi. c. 8. "Sancta octo." See Field, Of the Church, bk. v. c. 51. pp. 666, 667.]

[e] [Act. Concil. Hedtfeld. (Hatfield),] apud Spelm., [Concil., tom. i.] an. 680. p. 169.

[f] [Above, pp. 440, 441.]

[g] [Reply to S. W., sect. 4; above p. 301.]

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to give order for redress[h].' Our ancestors had not so much respect for Pope Julius, nor thought appeals to Rome any honour to "the memory of St. Peter."

[Contradicted by the general Council of Chalcedon.]

I said, the canon of the Council of Sardica was "contradicted" after "by the great Council of Chalcedon[i]." He rejoineth, that I "neither thought the words worth citing, nor the canon where the abrogation of the Sardican canon is found worth mentioning[k]."

Pardon me, I said nothing of "abrogation," but I did say it "contradicted" it; and for proof of the truth of what I said, take the very words of two canons of that Council,—"But if a clerk have a cause against his own Bishop, or against another Bishop, let him be judged by the synod of the province; but if a Bishop or a clerk have a complaint against the Metropolitan of the same province, let him repair either to the primate of the diocese, or the see of the royal city of Constantinople, and let him be judged there[l]." We see every "primate," that is to say, every Patriarch in general in his own diocese or Patriarchate, and the Patriarch of Constantinople in particular out of his own diocese, is equalled by the Council of Chalcedon to the Bishop of Rome. The same in effect is decreed in the seventeenth canon, that if there shall happen any difference concerning the possessions of the Churches, "it shall be lawful to them who affirm themselves to be grieved to sue before the holy synod of the province; but if any man be grieved by his Metropolitan, let him be judged by the primate of the diocese or by the Holy See of Constantinople[m]."

I have read those silly evasions, which your greatest scholars are forced to make use of, for answers to these downright canons. Sometimes by "primate of the diocese" (which signifieth all Patriarchs) they understand the Pope[n]. Do men use such improper expressions, which no man can understand, in penning of laws? Is it not a great condescension for the visible monarch of all Christendom to stoop to so mean a title as "the primate" of one single

[h] [Matt. Paris., in an. 1245. pp. 100, 101.]

[i] [Reply to S. W., sect. 4; above p. 301.]

[k] [Schism Dispatched, sect. 4. p. 539.]

[l] Concil. Chalced. P. ii. Act. xv. can. 9. [ap. Labb., Concil., tom. iv. p. 759. C, D.]

[m] [Ibid., p. 765. C.]

[n] [Bellarm., De Pontif. Roman., lib. ii. c. 22; Op. tom. i. p. 791. B.]

"diocese?" But, alas, it will do him no good: for if it were taken in this sense, it were the most unjust canon in the world, to deprive all Patriarchs of their Patriarchal jurisdiction except the Patriarch[s] of Rome and Constantinople. The Council which is so careful to preserve the Bishop his right, and the Metropolitan his right, could not be so careless to destroy Patriarchal right; or the Patriarchs themselves, who were present at the making of this canon, so stupid to join in it. At other times they tell us that this is to be understood only of the first instance, not of appeals[o]. This is weaker and weaker. What hath a Metropolitan to do with private causes of the first instance out of his own Bishopric? What have the Patriarchs of Rome and Constantinople to do, to judge causes of the first instance in other Patriarchates? The case is clear: if any man be grieved by his Bishop, he may appeal to his Metropolitan and a synod;
375 and if any man be grieved by his Metropolitan, he may appeal to his Patriarch. And if this absurd sense which they imagine were true, yet the Bishop of Constantinople might receive appeals from all parts of the world, as well as the Bishop of Rome. Let them wind, and wrest, and turn things as they can; they shall never be able to reconcile the Papal pretensions with the Council of Chalcedon.

[King Lucius and Eleutherius.]

I have neither changed my mind nor my note concerning Eleutherius his letter to King Lucius[p]; I did, I do, esteem it to be of dubious faith. So much I intimated—"if it be not counterfeit[q]." So much he intimated—"as much as we have records in our histories[r]." Is it necessary with him to inculcate the same doubt over and over, so often as we may take occasion? Thus far then we are of accord; but in the rest we differ wholly. He is positive, "as much as we have records, the Pope's authority doth appear[s]:" I am as positive, as much as we have records, the king's authority doth appear. For if those records be true, Eleutherius left the legislative part to King Lucius and his Bishops[t]. This was enough to answer him.

[o] [Id., ibid., p. 792. B.]
[p] [Schism Dispatched, sect. 4. pp. 539, 540.]
[q] [Just Vindic., c. v. vol. i. p. 164.]
[r] Down-Derry, p. 313.
[s] [Ibid.]
[t] [See Just Vindic., c. v. vol. i. p. 164; and Reply to S. W., sect. 4; above p. 301.]

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[St. German and Lupus.]

He addeth, "though our faith relieth on immediate tradition for its certain rule, and not upon fragments of old authors[u]," that is, in plain English, upon his bare word without any authority. How should a man prove ancient tradition but by "authors?" Yet, after all this flourish, he produceth us not one "old author" but St. Prosper, a stranger to our affairs, and him to no purpose; who saith only what he heard in Italy, that "Pope Celestine sent St. German in his own stead to free the Britons from Pelagianism, and converted the Scots by Palladius[x]." If all this were as true as Gospel, it signifieth just nothing. I have shewed formerly[y], that there is no act of jurisdiction in it, but only of the key of knowledge. He rejoineth, that he "relied on these words, '*vice suâ*'—'in his own stead,' which sheweth that it belonged to his office to do it[z]." Why should it not? The key of order belongeth to a Bishop, as well as the key of jurisdiction; and more especially to the Bishop of an Apostolical Church, as Pope Celestine was; and in such a case as that was (the Pelagian controversy), to testify the Apostolical tradition: he was bound by his office to do it, and he trusted St. German to do it in his place. All this is nothing to the purpose; there is no act of jurisdiction in the case but of charity and devotion. Yet, if it were not altogether impertinent to the purpose we have in hand, I should shew him, that there is ten times better ground to believe that it was done by a French synod, than by Pope Celestine; not out of an obscure author, but out of authentic undoubted histories; as Constantius in the Life of St. German[a], Venerable Bede[b], Matthew Westminster[c], and many others[d]. Is it not strange, that they, being so much provoked, are not able to produce a proof of one Papal act of jurisdiction done in Britain for the first six hundred years?

[How the right of jurisdiction

Here he catcheth hold at a saying of mine, which he understandeth no more than the man in the moon, that "all other

[u] [Schism Dispatched, sect. 4. p. 540.]

[x] [Ibid., from Prosper's Chronic., in an. 431. (ap. Canis., Antiq. Lect., tom. i. p. 301. ed. Basnag.).]

[y] [Replic. to Bp. of Chalced., c. v. sect. 4; above, pp. 170, 171.]

[z] [Schism Dispatched, sect. 4. p. 540.]

[a] [Lib. i. c. 19, ap. Surium, Act. SS., tom. iv. p. 416.]

[b] [Hist. Eccl., lib. i. c. 17.]

[c] [Flor. Hist., in an. 446. init.]

[d] [See Just Vindic., c. iv. vol. i. p. 137. note p; and Ussher and Stillingfleet there quoted.]

rights of jurisdiction do follow the right of ordination[e];" which he taketh as though I meant to make ordination itself to be an act of jurisdiction, though I deny it, and distinguish it from it. To make the reader to understand it, we must distinguish between actual ordination, and a right to ordain. Actual ordination, where there was no precedent obligation for that person to be ordained by that Bishop, doth imply no jurisdiction at all; but if there was a precedent right in the ordainer to ordain that man, and a precedent obligation in the person ordained to be ordained by that Bishop, then it doth imply all manner of jurisdiction, suitable to the quality of the ordainer; as, if he were a Patriarch, all Patriarchal jurisdiction; if he were a Metropolitan, all Metropolitical jurisdiction; if he were a Bishop, all Episcopal jurisdiction. And the inference holdeth likewise on the contrary side; that where there is no right precedent to ordain, nor obligation to be ordained, there is no [right of] jurisdiction follow[ing][f]: but I shewed out of our own histories, and out of the Roman registers, so far as they are set down by Platina, that the Bishop of Rome had no right to ordain our British primates, but that they were ordained at home[g]; and therefore the Bishop of Rome could have no jurisdiction over them.

DISCOURSE IV. [follows the right of ordination.]

I said no more of Phocas but this, that "the Pope's pretences were more from Phocas than St. Peter[h]." He referreth me to his answer[i] to Dr. Hammond. And I refer him to Dr. Hammond for a reply, as impertinent to my present business.

576 When I did first apply my thoughts to a sad meditation upon this subject, I confess ingenuously, that which gave me the most trouble was to satisfy myself fully about the Pope's Patriarchate; but in conclusion, that which had been a cause of my trouble, proved a means of my final satisfaction. For seeing it is generally confessed, that the Bishop of Rome was a Patriarch, I concluded that he could not be a spiritual

[The Bishop of Rome's monarchy inconsistent with his Patriarchate.]

[e] [Just Vindic., c. v. vol. i. p. 159. quoted in Schism Dispatched, sect. 4. p. 540.]

[f] ["Followeth" in all the editions.]

[g] [Just Vindic., c. v. vol. i. pp. 161, 162.]

[h] [Reply to S. W., sect. 4; above p. 302.]

[i] [Viz. Schism Dispatched,] Part i. sect. 6. [pp. 50, 51; and sect. 16. pp. 170, 171.]

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monarch. The reasons of my resolution I have set down, and received no answer; yet it shall not seem irksome to me to repeat them, as desiring nothing but the discovery of the truth.

First, I argue thus;—the sovereign government, and the subordinate government, of the same person in the same society or body, politic or ecclesiastic, is inconsistent: but the Pope's pretended monarchy or supremacy of power over the whole Church, and his Patriarchal dignity in the same Church, are a sovereign and subordinate government of the same person in the same body ecclesiastic:—the reason of the major is, because sovereign power is single—of one person or society, but this subordinate power is conjoint—of fellow Patriarchs; sovereign power is universal, but this subordinate power is particular:—and, therefore, as a quadrangle cannot be a triangle, nor a king a sheriff of a shire or a president of a province within his own kingdom, so neither can the same person be an universal monarch and a particular Patriarch.

Secondly;—the spiritual sovereignty of the Roman Bishop is pretended to be by Divine right, his Patriarchal power is confessedly by human right; but a spiritual sovereignty by Divine right, and an inferior dignity by human right, are inconsistent. As it is absurd to say, that God should make a man a prince, and after the people make him a peer; or God should give him a greater dignity, and afterwards the people confer a less upon him.

Thirdly;—a sovereignty above the canons, besides the canons, against the canons,—to make them, to abrogate them, to suspend them with a *non-obstante*, to dispense with them at pleasure where the canon gives no dispensative power,—and a subjection to the canons,—to be able to do nothing against them,—are inconsistent; but such a sovereign power is above the canons, and such a Patriarchal power is subject to the canons; therefore they are inconsistent.

[Mr. Serjeant's two instances in answer.]

All the answer he offereth to these [arguments, are] two instances; the one, that "Bishop Ussher was at once Bishop of Armagh, [and yet primate too of Ireland,] and as such the Bishop of Derry's superior[k]."

I answer, first, he mistaketh much; the primacy of Ireland

[k] [Schism Dispatched, sect. 4. p. 541.]

and the Archbishopric of Armagh are not two distinct dignities, but one and the self same dignity; but the monarchical power of the Pope by Divine right, and his Patriarchal power by human right, are two distinct dignities. Secondly, the primate of Ireland is not endowed with monarchical power, but all the difficulty here lieth in the conjunction of monarchical power and subordinate power.

[To] his other instance,—"must a person leave off to be master of his own family, because he is made king and his authority extendeth over all England[l],"—I answer, first, his argument is 'a transition into another kind,' or an excursion from one kind of power to another; from political power in the commonwealth to an œconomical power in the family. Secondly, it is one thing to make an inferior person a king, and another thing to make a king a constable, or to make sovereignty and subordination consist together. When a king doth discharge the place of a general of an army, he acquireth no new dignity, or power, or place, no man calleth him "my Lord General;" but he doth it as a king, by his kingly power, to which no higher or larger power can be added: but the Bishop of Rome did not, doth not, exercise Patriarchal power by virtue of his monarchy by Divine ordination, but by human right; first, by custom or prescription, and then by authority of the Council of Nice[m]. All the world seeth and acknowledgeth, that the Bishop of Rome hath more power in his Bishopric than he hath out of it in the rest of his province; and more power in his province than he hath out of it in his Patriarchate; and more power in his own Patriarchate than he hath in another's Patriarchate: but if he had a sovereignty of power and jurisdiction "by Christ's own ordination," he should have the same power everywhere; if he had a sovereignty of power and jurisdiction, "by Christ's own ordination," then all Patriarchal power should flow from him, as from the original fountain of all ecclesiastical honour; but
77 the contrary is most apparent,—that all the Patriarchs, even the Roman himself, did owe their Patriarchal power to the customs of the Church and canons of the Fathers.

These are the reasons why I conceive monarchical power

[l] [Ibid., sect. 10. p. 650.]

[m] [Concil. Nicæn. can. 6; ap. Labb., Concil., tom. ii. p. 32. C, D.]

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and Patriarchal power to be inconsistent in one and the same person; but the Pope was confessedly a Patriarch, therefore no monarch.

[His exceptions to the answer of Dinoth.]

The next thing which cometh to be observed, is his exceptions to Dionothus the learned Abbot of Bangor his answer to Austin, professing canonical obedience to the Archbishop of Caerleon in his own name and the name of the British Church, and disclaiming all obedience, except of "brotherly love," to the Bishop of Rome.

[1. The Bishop of Rome called "Pope" without any addition.]

His first exception was the naming of the Bishop of Rome "Pope" without any addition of name or place, contrary to the use of those times [n]. For answer I "committed him and his friend Bellarmine together;"—"When the word Pope is put alone, the Bishop of Rome only is to be understood, as appeareth out of the Council of Chalcedon—'the most blessed and Apostolical man the Pope doth command us this,'—without adding Leo or Rome or the city of Rome or any other thing [o]." He slighteth Bellarmine, and rebuketh me for folly to think that Catholic writers cannot disagree, and answereth the Council, that though the word 'Pope' be alone without addition, "yet (which is equivalent) the comitant circumstances sufficiently indigitate the person; . . for the words were spoken by Boniface the Pope's vicegerent [p]." As if there were not the same 'indigitating circumstances' here as well as there, the words being spoken by Austin, the Pope's legate and vicar as well as Boniface, in the name of Pope Gregory to the Britons, which were answered here by Dinoth.

[2. The Bishopric of Caerleon removed previously to St. David's.]

His second exception to Dinoth's testimony is, that there was "no such Bishopric" as Caerleon in those days, the see being removed "from Caerleon to Menevia or St. David's fifty years before this [q]."

That it was removed before this, I acknowledge; but how long before this, is uncertain. Some authors make St. Gregory and St. David to have died on one day some years after this meeting [r]. And it is an usual thing for Bishoprics to have two names: as the Bishopric of

[n] [Down-Derry, p. 314.]

[o] [Reply to S. W., sect. 4. (above p. 303); from] Bellarm., De Roman. Pontif., lib. ii. c. 31. [Op. tom. i. p. 826. D.]

[p] [Schism Dispatched, sect. 4. pp. 542, 543.]

[q] [Schism Disarmed, p. 133.]

[r] [See Ussher, De Primord. Britann. Eccl., c. v. pp. 81, 82.]

Ossory and Kilkenny is the same Bishopric: the Bishopric of Kerry and Ardfert is the same Bishopric; the see of Derry was long removed from Ardstrath to Derry, before it was commonly called the Bishopric of Derry; and so was Lindisfarne to Durham. I produced two witnesses for this very place of Caerleon, that it still retained the old name. The one the British History,—"Then died David the most holy Archbishop of Caerleon in the city of Menevia[s]." And yet it is thought, that the first removal of the see was made by Dubritius to Llandaff, and after from Llandaff to Menevia by St. David[t], at whose death it was styled the Archbishopric of Caerleon. The other witness was Giraldus Cambrensis,—"We had at Menevia five and twenty Archbishops of Caerleon successively, whereof St. David was the first[u]." He takes no notice of the first testimony, and puffs at the second and slights it; but answereth nothing material, but that which will cut the throat of his cause.—"Had Caerleon's Archbishops" (saith he) "only for some conveniency resided at Menevia, and the right of jurisdiction still belonged to Caerleon, it might more easily be conceived faisible[x]." Take notice then, that the Bishops of Caerleon did remove from a populous city in those days (as Caerlegion or the "City of the Roman Legion" was) to Menevia, only for the conveniency of a solitary life and contemplative devotion; and it is more than probable, that the active part of his jurisdiction was still executed at Caerleon. The see is changed so soon as the church is builded; but the city will require longer time to be fitted for inhabitants and furnished. All that he opposeth to this, is, that it was ordinarily called the Bishopric of Menevia[y]. Who doubteth of it? But that doth not prove, that it was not also called Caerleon. It was first the Bishopric of Caerleon alone, then the Bishopric of Caerleon or Menevia indifferently, afterward the Bishopric of Menevia or St. David's indifferently, and now the Bishopric of St. David's only. He carpeth at the name of Caerleon

[s] [Galfrid. Monum., Brit. Hist., lib. xi. c. 3. See Reply to S. W., sect. 4; above, pp. 303, 304. note r.]

[t] [See Spelm., Apparat. ad Concil., p. 25.]

[u] [Dialog. de Eccles. Menev., Distinct. 2; ap. Wharton., Angl. Sacr., tom. ii. p. 542.]

[x] [Schism Dispatched, sect. 4. p. 543.]

[y] [Ibid.,] p. 544.

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upon Uske[a]. Why so? Why not as well Caerleon upon Uske, as Kingston upon Hull, or Newark upon Trent, or Newcastle upon Tyne? Where there are several cities of one name, as there were Cacrlegions or "Cities of Roman Legions" in Britain, it is ever usual to give them such a mark of distinction.

But why doth he wrangle about names, and persecute an innocent paper after this manner? The thing is sure enough, 378
that there was one Dinoth a learned Abbot of Bangor at that time, who did oppose Austin, and stand for the jurisdiction of his own Archbishop of Caerleon or Menevia, choose you whether. Thus much he himself acknowledgeth in this very paragraph, citing out of Pitseus a book of this very Dinoth's, the title whereof was "*Defensorium Jurisdictionis Sedis Menevensis*"—"An Apology for the Jurisdiction of the See of Menevia[a]." And against whom should this apology be but against Austin and the Romans? No men else did oppose the jurisdiction of the Bishop of Menevia. With this agreeth that of Venerable Bede, that Austin "by the help of King Ethelbert called to a conference" (or Council) "the Bishops and doctors of the greatest and nearest province of the Britons; . . and began to persuade them with brotherly admonitions to hold Catholic peace with him, [and] to undertake the common work of preaching to the pagans, for they observed not Easter in due time," and "did many other things contrary to the unity of the Church[b]." The end of this first assembly was, "They would give no assent, neither to the prayers nor exhortations nor reprehensions of Austin and his fellows, but preferred their own traditions before all others throughout the Church[c]." And among all their traditions there was none which they held more tenaciously than this inserted in this manuscript, that is, the independent jurisdiction of the British primate; which they never deserted till after the Norman Conquest. To maintain the independence of their own primate, is as much as to disclaim obedience to the Pope.

But this is clearer in their resolution after the second

[a] [Schism Dispatched, sect. 4.] p. 544.
[a] [Ibid.; from Pits, in Vitâ Dionoti, Æt. vii. in an. 603.]
[b] Bed., Hist. Eccl., lib. ii. c. 2.
[c] [Ibid.]

synod, whereat were "seven British Bishops and very many learned men, especially of the most noble monastery of Bangor, whereof that time Dinoth was Abbot;" who gave this final answer to Austin's three demands, mentioned here by Mr. Serjeant,—"*At illi nihil horum se facturos neque illum pro Archiepiscopo habituros esse respondebant*"—"They answered they would do none of them, nor hold him for an Archbishop[d]." Here we see Dinoth was Abbot at that time; Dinoth was present at that Council; and all the Britons did not only reject those three propositions (which he acknowledgeth), but did moreover, in renouncing Austin, disclaim St. Gregory's authority over them, whose legate he was. What is this less than Dinoth's manuscript?

The author of the old British History called Brutus, relateth this answer of the Britons thus;—"*Se Caerleonensi Archiepiscopo obedire voluisse, Augustino autem Romano legato omnino noluisse*"—"That they would obey the Archbishop of Caerleon, but they would not obey Austin the Roman legate[e]." Here he hath express testimony of their adhering to their British primate, and their renouncing Papal authority, and, lastly, of the very name of the "Archbishop of Caerleon" at that day. To the same purpose Graius in Scala Cronica, and Gocelinus in his Greater History, are cited by Caius, De Antiquit. Acad. Cantab.[f]

With them agreeth Geoffrey of Monmouth, who saith there were at least one and twenty hundred monks in the monastery of Bangor, "who did all live by the labour of their own hands; and their Abbot was called Dinoth, marvellously learned in the liberal arts, who shewed to Austin (requiring subjection from the British Bishops, and persuading them to undertake with him the common labour of preaching) by divers reasons, that they did owe him no subjection, nor to preach to their enemies; seeing they had an Archprelate of their own," &c.[g]: and a little after, "Ethelbert, king of the Kentishmen, when he see the Britons did disdain to subject themselves to Austin, and to despise his preaching, stirred up the Saxon kings to collect a great army against Bangor,

[d] [Ibid. See Schism Dispatched, sect. 4. p. 550.]

[e] [See Just Vindic., c. vii. vol. i. p. 201. note b.]

[f] [See Just Vindic., ibid. p. 202. note c.]

[g] [Galfrid. Monum.,] De Orig. et Gest. Brit., lib. viii. c. 4.

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to destroy Dinoth the Abbot, and the other clerks of that monastery, who had despised Austin[h]." This is the very same in effect with Dinoth's Welsh manuscript; and therefore it was no "Welsh ballad," first "made in Edward the Sixth's time" by some English "schoolmaster to teach Welsh boys English[i]," as Mr. Serjeant vapoureth.

With him agreeth Giraldus Cambrensis;—"But yet always until Wales was fully subdued, which was done by Henry the First, king of the English, the Bishops of Wales were consecrated by the Archbishop of Menevia; and he" (the Archbishop of Menevia) "in like manner was consecrated by others, as being his suffragans, without making any profession of subjection at all to another Church[k]." They all agree in this—the Britons were *αὐτοκέφαλοι* and *αὐτόνομοι*, always ordained at home, independent upon any foreign Prelate, owed no subjection to Rome. And therefore it is no great wonder, if Pope Gregory did not know, when he was the 379
favourite both of the Pope and people, not long before his own promotion to the Papacy, whether the islanders of Britain were Pagans or Christians[l].

To the same purpose speaketh Nicholas Trevet; who having commended this Dinoth for a learned and a prudent man, he addeth, that "Austin meeting him did demand that they should perform subjection to him, as a legate sent into this land by the Pope and Court of Rome; and demanded further that he would help him in preaching: but he denied the one and the other[m]." Still subjection is denied. With these Baleus, writing of Dinoth[n], and the life of Austin in Sir Henry Spelman[o], and all our antiquaries, do agree exactly. And none of our historiographers, that I know, do disagree from it in the least, who write upon that subject, though some set it down more fully than others. Judge now, reader, of Mr. Serjeant's knowledge or ingenuity, who telleth thee so confidently that "the right of subjection never came into play[p];" and when I said the British clergy

[h] [Id., ibid.]
[i] [Schism Dispatched, sect. 4. pp. 547, 548.]
[k] [Girald. Cambr.,] Itin. Camb., lib. ii. c. 1.
[l] Bed., Hist. Eccl., lib. ii. c. 1. [ad finem.]
[m] [Chronic.; ap. Spelm., Concil., tom. i. p. 111.]
[n] [Bale, Cent. i. num. 70.]
[o] [Spelm., Concil., tom. i. p. 92.]
[p] [Schism Dispatched, sect. 4. p. 551.]

did renounce all obedience to the Bishop of Rome, citing "Bede and all others[q]," telleth me so confidently that I "belied Bede and all our historiographers at once[r]." I challenge him to name but one historiographer, who affirmeth the contrary to that which all these do affirm; if he be not able (as he is not), I might safely say without asking him leave, that "it striketh the question dead[s]."

His third exception,—that "it appeareth not that Sir Henry Spelman found any other antiquity in that Welsh manuscript worth mentioning[t]"—is so dull and unsignificant a piece, that I will neither trouble myself nor the reader with it. And such like are his other objections, which he presseth not, but toucheth gently: the heads of them will not merit a repetition, having been answered already by Dr. Hammond.

[3. His third objection too dull to deserve an answer.]

But when he is baffled in the cause, he hath a reserve,—that Venerable Bede, and Gildas, and Foxe in his Acts and Monuments, do brand the Britons for wicked men, making them "as good as atheists; of which gang if this Dinoth were one," he "will neither wish the Pope such friends, nor envy them to the Protestants[u]."

What needed this, when he hath got the worst of the cause, to revenge himself like a pinece with a stink? We read no other character of Dinoth, but as of a pious, learned, and prudent man. If Gildas or Bede have spoken any thing to the prejudice of the Britons, it was not intended against the whole nation, but against particular persons; there were St. Davids, St. Dubricius's, St. Thelaus's, St. Oudoceus's, and Dinoths, as well as such persons as are intended by Gildas or Beda. What have they said more of the Britons, than God Himself and His Prophets have spoken of His own people? or more than the Saxons have said one of another? or more than may be retorted upon any nation in Europe? Have Gildas or Beda said more of the Britons, than St. Bernard[x] and others have said of the Irish? and yet Ireland was deservedly called the Island of Saints. The question is,

[q] [Just Vindic., c. v. vol. i. p. 163. note s.]
[r] [Schism Dispatched, sect. 4. p. 550.]
[s] [Just Vindic., c. v. vol. i. p. 163.]
[t] [Down-Derry, p. 313.]
[u] [Schism Dispatched, sect. 4. pp. 551, 552; from Bed., Hist. Eccl., lib. (i. c. 22, lib. v.) c. (24.)—Gildas, De Excid. et Conquest. Brit. (c. 19)—Foxe, Acts and Monum., bk. ii. (vol. i. p. 126).]
[x] [Vita S. Malach., Op. tom. ii. pp. 712. E, 720. D. Paris. 1586.]

PART I. whether the British Church did ever acknowledge any subjection to the Bishop of Rome. Let him "adorn this Sparta[y]," and leave other impertinencies.

SECTION V.

THAT THE KING AND CHURCH OF ENGLAND HAD SUFFICIENT AUTHORITY TO WITHDRAW THEIR OBEDIENCE FROM ROME.

[I. Of the *authority* of the king and Church of England to reform the English Church.]

THE sixth chapter of my Vindication comprehended my fourth ground, consisting of these three particulars,—that the king and Church of England had sufficient authority to reform the Church of England, that they had sufficient grounds for doing it, and that they did it with due moderation. His Rejoinder to this my fourth ground is divided into three sections, whereof this is the first.

[No reason for the author's shunning the question of the Pope's Divine right to his sovereignty.]

Whatsoever he prateth in this section of my "shuffling away the whole question," by balking the Bishop of Rome's Divine right to his sovereignty of power to treat of his Patriarchal right, which is human[z],—is first vain; for I always was and still am ready to join issue with him concerning the Bishop of Rome's Divine right to a monarchical power in the 380
Church; saving always to myself and my cause this advantage, that a monarchy and a Patriarchate of the same person in the same body ecclesiastical are inconsistent: and this right being saved, I shall more willingly join issue with him about the Pope's monarchy, than about his Patriarchate. Secondly, as it is vain, so it is altogether impertinent: for my ground is this, that a sovereign prince hath power within his own dominions for the public good to change any thing in the external regiment of the Church, which is not of Divine institution; but the Pope's pretended patronage of the English Church, and his legislative, judiciary, and dispensative power in the exterior courts of the same Church, do concern the external regiment of the Church, and are not of Divine institution. Here the hinge of our controversy doth move, without encumbering ourselves at all with Patriarchal authority. Thirdly, I say, that this discourse is not only vain and extravagant, but is likewise false. The Pope's

[y] [See above p. 509. note c.]

[z] [Schism Dispatched, sect. 5. p. 553.]

Proto-patriarchal power, and the authority of a Bishop of an Apostolical Church, as the keeper of Apostolical traditions deposited in that Church, are the fairest flowers in his garland. Whatsoever power he pretendeth to over the whole Church of Christ above a 'primacy of order,' is altogether of human right; and the application of that primacy to the Bishop of Rome is altogether of human right. And whatsoever he presumeth of the universal tradition of the Christian Church, or "the notion which the former and present world," and we ourselves "before the Reformation, had of the Papacy[a]," that is, of the Divine right of the Pope's sovereignty, is but a bold, rattling, groundless brag. I did and do affirm, that the Pope hath quitted his Patriarchical power above a thousand years since; not explicitly, by making a formal resignation of it, but implicitly, by assuming to himself a power which is inconsistent with it[b].

I was contented to forbear further disputing about Patriarchal rights upon two conditions; one, that he should "not presume, that the Pope is a spiritual monarch, without proving it;" the other, that he should "not attempt to make Patriarchal privileges to be royal prerogatives[c]." This, by one of his peculiar idiotisms, he calleth "bribing of me[d]." If he had had so much civility in him, he might rather have interpreted it a gentle forewarning of him of two errors, which I was sure he would commit. After all his bravadoes, all that he hath pretended to prove is but a "Headship," a "first movership," a "chief governorship;" about which we have no difference with them: and all the proof he bringeth even of that, is a bold presumption, that there is such an immediate tradition[e]. There is not so much as a national tradition for those branches of Papal power which we have rejected, and much less for the Divine right of them. And if there were such a particular tradition, yet, wanting both perpetuity and universality, we deny that it is a sufficient proof of any right. This and the privilege to receive appeals[f], which is a Proto-patriarchal privilege, is all he produceth.

If he would know what a spiritual monarch is, let him

[a] [Ibid., p. 554.]
[b] [Reply to S. W., sect. 5; above p. 305.]
[c] [Ibid.]
[d] [Schism Dispatched, sect. 5. p. 554.]
[e] [Ibid., sect. 4. p. 540, &c.]
[f] [Ibid., p. 537.]

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consult with Sanders *De Visibili Monarchiâ*, and Bellarmine in his first Book *De Pontifice Romano*. But he is quite out of his aim, who knoweth no mean between a "flat tyrant" and "an ordinary chief governor[g]." Upon these terms, a president of a council, a master of a College, a mayor of a corporation, should be so many monarchs. I have shewed him what are those branches of sovereign monarchical power which the Popes have usurped, and when each usurpation did begin (the first of them about eleven hundred years after Christ), with the opposition that was made unto them by the king and kingdom of England. If he will speak to the purpose, let him speak to these in particular, and trouble us no more with his "chief governorships," or hold his peace for ever. All the controversy between them and us is in point of interest, and the external regiment of the Church, which is due to every Christian sovereign in his own kingdom. It is not we, but they, who have changed their governor.

[Patriarchs not wholly independent of kings in ecclesiastical affairs.]

He would fain persuade us if he could, that 'no Catholic will believe that a Patriarch is dependent on a king in ecclesiastical affairs[h],' yet he himself hath confessed formerly, that they "hold that every good king is to take order to see ecclesiastical grievances remedied, and the canons of the Church observed[i]." Then Patriarchs are not altogether independent upon kings in ecclesiastical affairs, if a king be 381
bound to see that a Patriarch execute the canons, and see Patriarchal grievances remedied. Sovereign princes have founded Patriarchates, and confirmed Patriarchates, and conferred Patriarchates, and taken away Patriarchates[k]; still here is some dependence. Gregory the Great was a Patriarch and a Pope; yet he acknowledged, that he owed due subjection to the law of Mauritius in an ecclesiastical affair; —"I being subject to your command have transmitted your law to be published through divers parts of the world; and because the law itself is not pleasing to Almighty God, I have expressed my opinion thereof to my lords; wherefore I have performed my duty on both sides, in yielding obedience to the emperor, and not concealing what I thought for God[l]."

[g] [Ibid.]
[h] [Ibid., p. 556.]
[i] [Ibid.] sect. 3. p. 525.
[k] [See Just Vindic., c. vi. vol. i. pp. 177—179.]
[l] Greg., Epist., lib. ii. Ep. 62. [secund. vett. editt.—lib. iii. Ep. 65; Op. tom. ii. p. 677. B, C. ed. Bened.]

But Mr. Serjeant's reason is silly beyond all degrees of comparison;—"Otherwise St. Peter could not preach at Rome, if Nero were a king; nor St. James at Hierusalem without un-kinging Herod[m]." See what a doughty argument he hath brought. Apostles, or Patriarchs, or Bishops, or Priests, may perform the ordinance of Christ notwithstanding the prohibition of Pagan emperors and kings; therefore they are independent upon them, and owe no subjection or obedience to any kings, Christian or Pagan. Yes, Sir; although they owe them only passive obedience in that, yet they owe them active obedience to their other lawful commands, even in ecclesiastical affairs.

[No manner of institution for Papal encroachments as now maintained.]

But now he saith, he will "give" me "fair law."—"Put the case Papal government had not been of Divine but only of human institution," yet "it ought not to have been rejected, unless the abuses had been irremediable[n]."

I allow him to "give law," and "shuffle," and "cut," and use what expressions he pleaseth; yet I used but an innocent allusion to the soaling of a bowl, and it is thrice cast in my teeth. But for his "fair law" I thank him; I will take no law from him, but what I can win myself. He would be glad with all his heart to have but a good pretence of human institution for those branches of Papal power, which are really controverted between us; but I deny him all manner of institution, both Divine and human; and have shewed that they are but upstart usurpations of the Popes themselves, after eleven hundred years, and wanting lawful prescription even in these last ages, which ought to be plucked up as weeds so soon as they are discovered, and to be removed before all other things by those who are in authority;—'*Ante omnia spoliatus restitui debet.*' And here he is at us again with his often repeated and altogether mistaken "case;" which henceforward I shall vouchsafe no other answer to, but pass by it with a "*τὸν δ' ἀπαμειβόμενος*[o]."

[Mr. Serjeant's parallel from

He demanded, 'whether I would condescend to the rejection of monarchy, or extirpation of Episcopacy, for the

[m] [Schism Dispatched, sect. 5. p. 556.]
[n] [Ibid.]
[o] Mart. Epigr., lib. i. Epigr. 16. ["Edita ne brevibus pereat mihi charta libellis," "Dicatur potius *τὸν δ' ἀπαμειβόμενος*."]

PART I. monarchy and Episcopacy.]

misgovernment of princes or prelates[p]?' I answered, "no[q]." We fancy not their method, who cannot prune a tree except they pluck it up root and branch. But I gave him three reasons, why this could not advantage his cause; "first, never any such abuses as these were objected to princes or prelates in England; secondly, we desire not the 'extirpation' of the Papacy, but the reduction of it to the primitive constitution; thirdly, monarchy and Episcopacy are of Divine institution, so is not Papal sovereignty of jurisdiction[q]."

[1. He saith nothing to the author's first reply.]

To the first he saith nothing but by way of recrimination, the most ignoble kind of answering, especially when he himself cannot but condemn them in his own conscience for notorious fictions of Cretan minotaurs: but these abuses, which we complain of, are the proper subject of the next section.

[His idle story about Archbishop Laud.]

He is here pleased to relate a pretty story of the late Archbishop of Canterbury, that he "confessed" himself to be "in a schism, in a private discourse" (I warrant it was private enough, without either witness or parties), as this author "was told by a very grave person, whose candour" he hath "no reason to suspect[r]."

And why doth this "grave person" appear in a vizard without a name? or appear after the party's death? that durst not have said it in his life-time, and for fear to be detected now, telleth us it was in "private." And when all is done, it is ten to one this worthy person (if he be *in rerum naturâ*) is an utter enemy, and of another communion. We have had many abominable lies spread abroad in the world, upon the bare testimony of some such single adversary; as the apostacy of Bishop King[s], the defection of King Charles[t], the hopes they had of my Lord of Strafford[u], when all that knew my Lord of Strafford and that witness, knew right well he 382 never did in the presence of any other, nor ever durst, offer to him any discourse of that nature.

[p] [Down-Derry, p. 317.]

[q] [Reply to S. W., sect. 5; above p. 307.]

[r] [Schism Dispatched, sect. 5. p. 559.]

[s] [See Wood, Athen. Oxon., vol. ii. p. 296. ed. Bliss.]

[t] [See The State of Relig. in England, at the end of Steele's translation of Urban Cerri's Account of the State of the Roman Cathol. Relig. &c., pp. 194, 195. Lond. 1715; and Dodd, Ch. Hist., vol. iii. Pt. vi. bk. 1. art. 6. p. 41; both from the authority of Panzani, the Papal nuncio in England; and D'Israeli, Mem. of Charles I., vol. i. c. 6.]

[u] [Of this anecdote of Lord Strafford the editor can find no account elsewhere.]

To the second he answereth, that we have "already extirpated" the Papacy out of England[x].

[2. The Papacy not extirpated out of England, but restricted to its right limits.]

No, we have only cast out seven or eight branches of Papal jurisdiction in the exterior court, which Christ or His Apostles never challenged, never exercised, never meddled withal; which the Church never granted, never disposed. He might still for us enjoy his Protopatriarchate, and the dignity of an Apostolical Bishop, and his 'primacy of order,' so long as the Church thought fit to continue it to that see; if this would content him.

[3. All lawful governments from God, yet monarchy so in the highest degree of eminency.]

To my third reason he excepteth, if "monarchy be of Divine institution, . . the Venetians and the Hollanders are in a sad case[y]."

I am glad when I find any thing in him that hath but a resemblance of matter, more than wind and empty words, although they weigh nothing when they come to be examined. The Venetians and Hollanders may be in a sad condition in the opinion of such rash censurers as himself is, who have learned their theology and politics but by the halves. Who taught him to argue from the position of one lawful form of government to the denial of another? All lawful forms of government are warranted by the law of nature, and so have their institution from God in the law of nature; "the powers that be are ordained of God," whether they be monarchical, or aristocratical, or democratical; man prepareth the body, God infuseth the soul of power, which is the same in all lawful forms. But though all lawful forms of government be warranted by the law of nature, yet not all in the same degree of eminency. There is but one soul in the body, one sun in the heaven, one master in a family; and anciently one monarch in each society: all the first governors were kings. The soul of sovereign power is the same in all forms, but the organ is more apt to attain its end in one form than another; in monarchy, than in aristocracy or democracy: and we say God and nature do always intend that which is best. Thus it is in the law of nature, which is warrant sufficient for any form of government; but, in the positive law of God, He never instituted or authorised any form but monarchy.

Rom. xiii. 1.

[x] [Schism Dispatched, sect. 5. p. 559.]

[y] [Ibid., p. 560.]

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In the last paragraph, where I say that the Pope's Headship of jurisdiction is not "of Divine institution[z]," he excepteth, that it is my "bare saying," and my "old trick" to "say over again the very point in dispute between us[a]."

If this be "the very point in dispute between us" (as it is indeed), it is more shame for him, who letteth "the very point in dispute" alone, and never offereth to come near it; especially having made such loud brags, that he "would charge the crime of schism upon the Church of England with undeniable evidence[b]," and prove the Pope's Headship of jurisdiction or power, by a more "ample, clear, and continued title" than any "right of law or human ordinances can offer[c]."

"Quid tanto dignum tulit hic promissor hiatu[d]?"

As for my part, I know my obligation, whilst I am upon the defensive, to make good my ground; and when it is my turn to assault, I shall discharge my duty. If he have any thing to say to "the Huguenots of France[e]," they are at age to answer him themselves; our controversy is only concerning the Church of England.

SECTION VI.

THAT THE KING AND CHURCH OF ENGLAND HAD SUFFICIENT GROUNDS TO SEPARATE FROM THE COURT OF ROME.

[II. The *grounds* of our separation unanswered both by R. C. and by Mr. Serjeant.]

I had reason to "wonder," not at our "grounds," but their "silence[f]," that having so long [and] so often called for our grounds of separation, and charged us that we have no grounds, that we could have no grounds, now, when sufficient grounds are offered to them, two of them, one after another, should pass by them in deep silence. And this 383
Dispatcher, being called upon for an answer unless he would

[z] [Reply to S. W., sect. 5; above p. 307.]
[a] [Schism Dispatched, sect. 5. p. 560.]
[b] [Down-Derry, p. 306.]
[c] [Ibid., p. 309]
[d] [Horat., A. P. 138.]
[e] [Schism Dispatched, sect. 5. p. 561.]
[f] [Reply to S. W., sect 6; above pp. 307, 308.—Schism Dispatched, sect. 6. p. 562.]

have the cause sentenced against him upon a '*Nihil dicit*,' with more haste than good speed gives us an answer and no answer, like the title of an empty apothecary's box. If there be any "monster" the reader may look for it on that side, not on our side. He may promise the view of a strange "monster" in his antepasts and "postpasts," and blow his trumpet to get "pence a piece to see it[g]" (as he phraseth it); but if the readers expect till he shew them any such rare sight, they may wait until dooms-day, and all the remedy he offers them is, "to say" he "hath abused" them[h], as he doth often.

Now room for his "case," or his "two principles of unity," which are evermore called in to help at a dead lift. But *his* "case" is not the true case; and his rules are leaden rules; they might be straight at the beginning, but they have bended them according to their self interest. Both his "case" and his "principles" have been sufficiently discussed, and fully cleared; so that I will not offend the reader with his slight dish of coleworts sodden over and over again.

He is angry, that I make our separation to be rather "from the Court of Rome," than from the "Church" of Rome; and styleth it "perfect impudence[i]."

[We separated from the *Court*, not from the *Church*, of Rome.]

So my assertion be evidently true, I weigh not his groundless calumnies. Let any man look upon our grievances, and the grounds of our reformation:—first, the intolerable extortion of the Roman Court; secondly, the unjust usurpations of the Roman Court; thirdly, the malignant influence of the Roman Court upon the body politic; fourthly, the like malignant influence of the Roman Court upon the body ecclesiastic; fifthly and lastly, the violation of ancient liberties and exemptions by the Roman Court[k]:—and he cannot doubt from whence we made our separation. All our sufferings were from the Roman Court; then why should we seek for ease but where our shoe did wring us? And as our grievances, so our reformation was only of the abuses of the Roman Court;—their bestowing of prelacies and dignities in

[g] [Schism Dispatched, ibid.]

[h] [Ibid.]

[i] [Ibid., p. 563; from Reply to S. W., sect. 6 (above p. 307). See also Just Vindic., c. iii. vol. i. pp. 128, 129; c. vi. ibid. pp. 197—199; c. ix. ibid., p. 257.]

[k] [Just Vindic., c. vi. vol. i. pp. 180—192.]

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England to the prejudice of the right patrons; their convocating synods in England without the king's leave; their prohibiting English prelates to make their old feudal oaths to the king, and obliging them to take new oaths of fidelity to the Pope; their imposing and receiving tenths and first-fruits, and other arbitrary pensions upon the English clergy; and, lastly, their usurping a legislative, judiciary, and dispensative power in the exterior court by political coaction. These are all the branches of Papal power which we have rejected. This reformation is all the separation that we have made in point of discipline. And for doctrine,—we have no difference with them about the old essentials of Christian religion, and their new essentials, which they have patched to the Creed, are but their erroneous or at the best probable opinions, no articles of Faith.

[The author's proofs in this section convincing, although not "demonstrative."]

He is still bragging of his "demonstrations[1]" (yet they are but blind enthymematical paralogisms, wherein he maketh sure to set his best leg foremost, and to conceal the lameness of his discourse as much as he can from the eyes of the reader), and still calling upon us for "rigorous demonstration[m]." I wish we knew whether he understand what "rigorous demonstration" is in logic; for no other demonstration is "rigorous," but that which proceedeth according to the strict rules of logic, either '*à priori*' or '*à posteriori*,' from the cause or the effect; and this cause in difference between us (whether those branches of power, which the Pope claimeth and we have rejected, be the legacies of Christ, or Papal usurpations) is not capable of such "rigorous demonstration," but dependeth upon testimony, which logicians call an 'inartificial' way of arguing. But if by "rigorous demonstration" he understand convincing proofs, those grounds which I offer in this section do contain a "rigorous demonstration." That discipline which is brimful of intolerable rapine, and extortion, and simony, and sacrilege; which robbeth kings, and subjects ecclesiastical and secular, of their just rights; which was introduced into the Church of England eleven hundred years after Christ; which hath a malignant influence upon the body politic; which is

[1] [Schism Dispatched, sect. 6. p. 564.]

[m] [Ibid., and Postscript.]

destructive to the right ends of ecclesiastical discipline; which instead of securing men in peace doth thrust them into manifest and manifold dangers both of soul and body; which is contrary to general Councils, and the ancient
384 liberties of particular Churches;—'*qua talis*'—'as it is such,' is no legacy of Christ, but ought to be purged and reformed from all such abuses and usurpations: but such is that Papal discipline, which the Bishop of Rome exercised in England before the Reformation, and less than which they will not go; and such are all those branches of Papal power, which we have cast out.

[Mr. Serjeant's vague and impertinent way of replying.]

The truth of this assertion I have made manifest in my Vindication, c. vi. [n]; and this is the place of a further examination of it, if he did discharge the part of a fair solid disputant; to leave his windy invectives, which signify nothing to the cause, but to his own shame, and to proceed closely and ingenuously to the investigation of truth, without prejudice or partiality. But, on the contrary, he minceth my grounds, and concealeth them, and skippeth over whatsoever disliketh him, and choppeth them, and changeth them, and confoundeth them, that I cannot know mine own conceptions again, as he hath dressed them, and disordered them, and mutilated them. I proposed five distinct grounds of our Reformation, and casting out so many branches as we did of Papal power; if he dealt like a just adversary, he should pursue my method, step by step; but he reduceth my five grounds into three, that between two methods he may conceal and smother whatsoever he hath no disposition to answer; as he dealeth with many points of weight and moment, and particularly with all those testimonies and instances I bring, to prove the intolerable extortions and manifold usurpations and malignant influence of the Roman Court upon the body politic and ecclesiastic, being much the greater part of my discourse. But I do not altogether blame him; for they are so foul, that a man can find small credit or contentment in defending them. For once, rather than lose his company, I will pursue his method. Let us give him the hearing.

He reduceth my five grounds to three.—

[n] [Vol. i. pp. 180—192.]

PART I.

[1. The author's first sort of grounds according to Mr. Serjeant; viz. such as entrench upon conscience.]

1. First, such as "entrench upon eternity and conscience[o]." —"May not any heretic object that the Church imposed new articles of Faith," &c. or "complain of new Creeds, when she . . addeth to her public professions some points of Faith held formerly? . . Might not he complain of peril of idolatry, as your brother Puritans did for surplices," &c.? "Might not he pretend, that all heretics and schismatics were good Christians, and that the Church was tyrannical in holding them for excommunicate? Might he not shuffle together Faith with opinion, and falsely allege (as you do here) you were forced to approve the Pope's rebellion against general Councils, and take oaths to maintain Papal usurpations[p]?"

This is all the answer I get of this brave disputant; as if the unjust complaints of the Puritans did satisfy the just exceptions of the Protestants. It is probable enough, that he himself was one of our "brother Puritans" in those days; otherwise he could not well have talked so wildly of "peril of idolatry" from "surplices." His discourse is so slight and impertinent, that I will not vouchsafe any answer, but leave it to the reader to compare my Vindication and Reply with his Rejoinder. That they have added new essentials to Faith, is fully evinced against them in this treatise, Sect. i. chap. 11.[q] What our judgment is concerning their idolatry, he shall find exactly set down in my answer to Milletière pp. 133 [—138], second edition[r]. As for the oaths of fidelity which every Bishop must make to the Pope, he may satisfy himself Sect. i. chap. 5.[s]; and see the form of it chap. 7.[t] Or if he desire to see a later form, let him take this:—"I Henry Archbishop of Canterbury will be faithful and obedient to St. Peter from this hour as formerly, and to the Holy Apostolic Church of Rome, and to my lord Pope Alexander the Sixth and his successors; I will give no counsel, nor consent, nor act any thing, towards the loss of their lives, or members, or liberty; I will discover their counsels to no man to their prejudice, which they have communicated to me by

[o] [Schism Dispatched, sect. 6. p. 564.]
[p] [Ibid., p. 565.]
[q] [Above pp. 471—476.]
[r] [Viz. Hague 1654.—vol. i. pp. 43—46, of the present edition.]
[s] [Above pp. 416—422.]
[t] [Above p. 438.]

themselves or their messengers; I will help them to retain and defend the Roman Papacy and the royalties of St. Peter (saving my order) against all men; I will entertain the Pope's legates honourably going and coming, and help them in their necessities; I will visit the Papal Court every year, if it be on this side the Alps; . . and every two years, if it be beyond the Alps; . . unless the Pope dispense with me: . . so help me God and the Holy Gospel[u]." What fidelity can a king expect from a subject who hath taken this oath, if the Pope please to attempt any thing against him? If the Pope's superiority above a general Council be but held as an indifferent opinion in their Church, and not a point of Faith, as he intimateth, yet it is such an opinion as he dare not contradict; it is "*fere communis*," it is "almost the common opinion" of all Roman Catholics, if Bellarmine say true[x]; and "*fere de Fide*"—"almost a point of Faith[y]," upon which modern "Popes and Councils are accorded[z]." It is determined expressly in their last general Council of Lateran, that "the Bishop of Rome alone hath authority over all Councils[a]."

Were these all the grounds he could find, which "entrench upon eternity and conscience?" He might have found more; —that, by means of Papal abuses there described, 'hospitality was not kept, the poor not sustained, the Word not preached, churches not adorned, the cure of souls neglected, Divine offices not performed, churches ruined[b]. He might have found "oaths, customs, writings, grants, statutes, rights, privileges, to have been not only weakened, but exinanited, by the Pope's infamous messenger" called "*Non-obstante*[c]." And all this attested by the lords spiritual and temporal, and the whole common-wealth of England[c]. But it is no matter whether he take notice of it or not, whilst he answereth nothing.

2. He saith my "second sort of grounds are those, which relate to temporal inconveniences and injuries to the state, [2. The author's second sort

[u] Antiq. Eccles. Brit., in Vitâ 66. [scil. in Vitâ Denei (Henry Deane, Warham's immediate predecessor), p. 302.]

[x] [Bellarm., De Concil. Auctoritat., lib. ii. c. 14. Op. tom. i. p. 1208. A.]

[y] [Id., ibid. c. 17. p. 1212. D.]

[z] [Id., ibid. p. 1214. A.]

[a] [Concil. Lateran. V.] Sess. xi. [ap. Labb., Concil., tom. xiv. p. 311. E.]

[b] Matt. Paris,, in an. 1245 [(a misprint in Wats' edit. for 1246), pp. 698, 699.]

[c] [Id., ibid.]

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of grounds according to Mr. Serjeant; viz. temporal inconveniences.]

by reason of the Pope's pretended encroachments," which I "huddle together in big terms[d]."

Do I "huddle" them together? Nay, I handled them distinctly, under three heads or notions; first, the intolerable oppressions and extortions of the Court of Rome in points of fact; secondly, their gross and grievous usurpations in point of right; thirdly, the malignant influence of foreign discipline in point of policy[e]. It is he that "huddles" them together; because they are so foul and so evident, that he dare not take a view of them singly, much less repeat them: and so they might be buried in oblivion for him, unless the reader be pleased to take a review of them. I shall not willingly add a word more, either to the 'extortions,' or 'malignant influence;' because I judge in charity, that all good men do wish them amended as well as I: and for the 'usurpations,' being matter of perpetual right, I hope I have cleared them sufficiently in this treatise throughout the first section.

But what is his answer to all this? That it "is disputable between canon and civil lawyers, whether many of these were abuses, or just rights; of which kind of controversy" he neither thinks me nor himself "competent judges:" adding, that these "questions" do "not concern our present quarrel[f]."

How? "Not concern our quarrel?" They are all the quarrel we have: and not a 'primacy of order,' or any power purely spiritual in the court of conscience. If he have nothing to do with these, why doth he meddle to no purpose? Whatsoever power was given by Christ, or is recorded in Scripture, is expressly excepted out of our law[g]. And once more, reader, observe and wonder, that these men, who called upon us often for the grounds of our separation, must be called on as often for a fair answer. He promised to shew the readers a "monster" in this section "for pence a piece;" it seemeth by his boggling, he seeth something that he is afraid to meddle with. I doubt he will prove a true prophet of himself, that all the readers' satisfaction for their money will be, to tell them that he "hath abused" them.

[d] [Schism Dispatched, sect. 6. p. 566.]

[e] [Just Vindic., c. vi. vol. i. pp. 180—190.]

[f] [Schism Dispatched, sect. 6. p. 567.]

[g] [25 Hen. VIII. c. 21. § 19. See above sect. i. c. 3. p. 393.]

But it may be he is better at his sword than at his buckler, at opposing in generals than defending himself from particulars. Although he hath not given us one particular answer to the truth or falsehood of the crimes and inconveniences objected, yet he giveth in seven general exceptions; but it is with as much haste as the dog by Nilus, which runs and drinks.

[Mr. Serjeant's exceptions to these grounds.]

"First," he saith, "those inconveniences" which I mention, if "they had been true, are abuses in the officer," not "faults in the office," which "ought not be taken away for them[h]."

[i. We have not taken away the office for the faults of the officer.]

Intolerable extortions and gross usurpations, are no more with him than "inconveniences." This objection was answered by me before it was moved by him, if he had not thought fit to smother it; where I distinguish between "the personal faults of Popes;" and "faulty principles" or laws, and shew how far the one and the other do "warrant a separation;"—the former only from the faulty person, to preserve ourselves from participating with him in his crimes; the latter from the faulty office, so far as it is faulty, "until it be reformed[i]." Neither have we taken away any office, but only abuses and usurpations.

[ii. Experience the politician's best schoolmaster.]

"Secondly," he excepteth, that "some of these pretended
386 abuses are only" my "own deductions," which I "shew not evidently out of the science of politics," but "out of two or three matters of fact[k]."

I answer, that experience is the politician's best schoolmaster, and that every man findeth where his own shoe wringeth him much better by wearing it himself than by hearing others discourse of it. But I thank him for his *memento*; and the next time I have occasion to make use of it, I shall demonstrate to him "out of the science of politics," that foreign jurisdiction is useless and chargeable to the subject, dangerous and destructive to the king and commonwealth, a rack and gibbet to the conscience by subjecting it to two supremes who may possibly clash one with another, and altogether opposite to the ecclesiastical policy of the primitive times, which conformed the bounds of ecclesiastical jurisdiction to the civil.

[h] [Schism Dispatched, sect. 6. p. 567.]

[i] [Just] Vindic., c. vi. [vol. i.] p. [179.]

[k] [Schism Dispatched, sect. 6. p. 567.]

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[iii. The *acts* of our kings prove what they thought to be their *rights*.]

"Thirdly," he pleadeth, that I "do not prove" that "some of these pretended abuses" were not "just rights," but "only shew that such and such things were done;" and "that either party had learned lawyers for them;" and that "sometimes the kings renounced their pretences, as in point of investitures[l]."

I answer, that the opposition of king and kingdom to any branch of Papal power sheweth evidently, that they did not believe that the Pope had any right to it, Divine or human, and clearly destroyeth his foundation of "immediate tradition." How should they leave that to their children, "as a legacy of Christ or His Apostles," which they themselves rejected? Our kings never "renounced" their right of "investitures;" only they consented, that they should not give investitures in their own persons, but by a Bishop, still retaining both the right of patronage and their feudal oaths[m].

[iv. Ecclesiastical laws compared with temporal.]

"Fourthly," he saith, that these "temporal laws" which I "cite, conclude not evidently a right;" and "reason gives more particular respect" to "ecclesiastical laws than to temporal[n]."

I answer, though such laws do not always prove a right, yet they always prove the common consent of the kingdom, what they esteem to be right; they always disprove the Pope's prescription. But he is wholly mistaken; many of those laws which I cited, were ecclesiastical laws[o]; and the Pope's decretals, which he intimateth for laws, are no laws, nor ever were held for laws in England without the reception of the Church and kingdom[p]. "Reason gives more respect" to the sanctions of Bishops than of kings in cases purely spiritual; but more respect to the laws of kings than of Bishops in the external regiment of the Church within their own dominions.

[v. Some rights of all sorts, not

"Fifthly," he chargeth me for "saying, that 'the Pope usurped most unjustly all right, civil, ecclesiastical, sacred,

[l] [Ibid., pp. 567, 568.]

[m] [See above sect. i. c. 5. pp. 404—408; and Twysden's Histor. Vindic., c. iii. § 7. pp. 12, 13. and] Eadmer, [Hist. Nov., lib. iv. p. 91.]

[n] [Schism Dispatched, sect. 6. p. 568.]

[o] [See Just Vindic., c. iv. vol. i. p. 137. note q, &c.]

[p] [Ibid., p. 140.]

profane, of all orders of men, kings, nobles, Bishops,' &c.;" which he calleth "a loud mouthed calumny[q]."

"all right," usurped by the Pope.]

By his favour, he doth me wrong, and himself more, with his foul language, when he is not provoked at all. I said not "all right" in the abstract, but "all rights" in the concrete. Hath he forgotten that which every boy in the University knoweth, to distinguish betwixt '*singula generum*' and '*genera singulorum*'—'some of all sorts' and 'all without exception?' My words only signify some rights of all sorts; as is evident by the words following, "civil, ecclesiastical, sacred, profane, of all orders of men, kings, nobles, Bishops," &c.; which is an ordinary and proper expression, and cannot possibly be extended to all rights without exception.

[vi. How far we have "divided" ourselves from the Pope.]

"Sixthly," he urgeth, that "grant all these abuses had been true, was there no other remedy but division? had not the secular governors the sword in their hand? did it not lie in their power to choose whether they would admit things destructive to their rights[r]?"

I answer, that it doth not always rest in the power of the civil magistrate to do that which is best in itself, especially in seditious times, when the multitude (as a good author saith) do more readily obey their priests than their kings. But they must move their rudder according to the various face of the sky, and await for a fitter opportunity, as our kings did, which fell out at the Reformation; when they followed his counsel in good earnest, and with the civil "sword" did lop away all Papal usurpations and abuses. Other "division" than this,—to divide between the rotten and the sound,—we made none. The great "division" which followed our Reformation, was made by themselves and their censures[s]. Our Articles do testify to all the world, that we have made no division from any Church, but only from errors and abuses[t].

[vii. We have not broken

387 "Seventhly," he pleadeth, that in "case these temporal inconveniences had not been otherwise remediable," yet

[q] [Schism Dispatched, sect. 6. p. 568; from Reply to S. W., sect. 6, above p. 308.]

[r] [Schism Dispatched, ibid.]

[s] [See Just Vindic., c. iii. vol. i. pp. 128, 129.]

[t] [Vid. Canon. 1603, can. 30; and Replic. &c., c. i. sect. 1, above p. 60. note u.]

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"ecclesiastical communion ought not to be broken for temporal concernments [u]."

"ecclesiastical communion" for "temporal concernments."]

To prove this conclusion he bringeth six reasons, some pertinent, some impertinent and very improper; but he might have saved his labour. For if he understand his conclusion in that sense wherein he ought to understand it, and wherein I hope he doth understand it, of deserting the communion of the Catholic Church, or of any member of the Catholic Church '*qua tale*'—'as it is a member,' for mere temporal respects, '*concedo omnia*'—I grant the conclusion; but if by 'breaking ecclesiastical communion' he understand deserting the communion of a particular Church, as it is erroneous, and wherein it is erroneous, his conclusion is not pertinent to his purpose, nor his six proofs pertinent to his conclusion. But he might remember, first, that our grounds by his own confession do not all relate to "temporal inconveniences," but some of them to "eternity and conscience [x]," and that they ought to be considered conjointly. Secondly, that we do not make these "temporal inconveniences" to be irremediable; we ourselves have found out a remedy; and it is the same which he himself adviseth in this place,—to thrust out all encroachments and usurpations with the civil "sword." If they will grow angry upon this, and break ecclesiastical communion themselves, it is their act, not ours, who have acted nothing, who have declared nothing against any right of the Bishop of Rome, Divine or human, but only against his encroachments and usurpations, and particularly against his coactive power in the exterior court within the English dominions. They might take us to be not only very tame creatures, but very stupid creatures; first, to suffer them to entrench, and encroach, and usurp upon us daily; and then to be able to persuade us to Issachar's condition, to undergo our burden with patience like asses, because we may not "break ecclesiastical communion for temporal concernments." We have done nothing but what we have good warrant for from the laws of God and nature; let them suffer for it, who either separate from others without just cause, or give others just cause to separate from them.

[Gen. xlix. 14.]

[u] [Schism Dispatched, sect. 6. p. 569.]

[x] [Ibid., p. 564.]

In the next place followeth a large panegyrical oration in the praise of unity, of the benefit and necessity of it, mixed with an invective against us for breaking both the bonds of unity [y]. [Of unity.]

The former of those considerations is altogether superfluous,—to praise unity; which no man did ever dispraise but to his own perpetual disgrace. The latter is a mere tautology, or repetition of what he hath said before; which I will not trouble the reader withal, but only where I find some new weight added.

He saith, we "acknowledge" the Church of Rome to be "a true Church [z]." [How far the Church of Rome is a true Church.]

Right; metaphysically a "true Church," which hath the true essence and being of a Church, but not morally true, or free from errors.

He demands, what is the "certain method to know the true sense" of Scripture [a]?

If he please to take so much pains to view my Answer to Milletière [b], he may find both whom we hold to be fit expositors of Scripture, and what is the right manner of expounding Scripture; if he have any thing to say against it, he shall have a fair hearing. [Our mode of interpreting Scripture.]

He telleth us, that our "best champions Chillingworth and Falkland do very candidly confess," that we have "no certainty of Faith, but probability only [c]." [The certainty of our Faith.]

He citeth no place, and I do not hold it worthy of a search, whether they do confess it or not. It is honour enough for them to have been genuine sons of the English Church (I hope they were so), and men of rare parts (whereof no man can doubt); yet one of them was a layman, it may be neither of them so deeply radicated in the right Faith of the English Church as many others: but our chiefest "champions" are those who stick closest to the Holy Scriptures, interpreted according to the analogy of Faith and the perpetual tradition of the Universal Church. But for that assertion which you father upon them,—that we "have no

[y] [Ibid., pp. 569—578.]
[z] [Ibid., p. 571.]
[a] [Ibid., p. 572.]
[b] [Answ. to La Millet. (vol. i. pp. 48—52), Disc. i. Pt. i.]
[c] [Schism Dispatched, sect. 6. p. 572. For Lord Falkland, see his Disc. of the Infallibility of the Ch. of Rome, § 28, in vol. ii. of Hammond's Works, Lond. 1684; and for Chillingworth, Relig. of Protest., c. ii. § 139, c. iii. § 33, &c.; and Waterland, Import. of Doctr. of the Holy Trinity, c. v. § 4. Works, vol. v. pp. 123, &c.]

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certainty of Faith but probability only,"—we detest it. And when you or any other is pleased to make trial, you will find, that we have as great assurance altogether for our Faith as yourselves have for your old articles of Faith; and much more than you have for your new articles.

[We join in communion with no heretics, but with all who hold the Apostles' Creed as expounded by the first four general Councils.]

He accuseth us for joining in communion with "Greeks, Lutherans, Huguenots; perhaps Socinians, Presbyterians, Adamites, Quakers, &c.[d]" And after he addeth Roman Catholics[e].

Are not Huguenots "Presbyterians" in his sense? If they be, why doth he disjoin them? I know no reason why 388 we should not admit Greeks and Lutherans to our communion, and (if he had added them) Armenians, Abyssenes, Muscovites, and all those who do profess the Apostolical Creed as it is expounded by the first four general Councils under the primitive discipline; and the Roman Catholics also, if they did not make their errors to be a condition of their communion. As for Adamites and Quakers, we know not what they are; and for Socinians, we hold them worse than Arians. The Arians made Christ to be a secondary God,—"*erat quando non erat*[f];" but the Socinians make Him to be a mere creature. And for Presbyterians what my judgment is, he may find fully set down in my Reply to the Bishop of Chalcedon's Epistle[g].

[Our form of ecclesiastical government no innovation.]

But, saith he, every one of these hath a different "Head of the Church;" the English Head is "the king," the Roman Catholic Head is "the Pope," the Grecian Head is "the Patriarch," the Presbyterian Head is "the Presbytery" or Synod, and the Lutheran Head is the "parish minister[h]."

First, for the Lutherans, he doth them egregious wrong. Throughout the kingdoms of Denmark and Sweden they have their Bishops, name and thing[i]; and throughout Germany they have their Superintendents[k]. And to the rest I answer him, that there are several Heads of the Church; Christ alone is the Spiritual Head, the sovereign prince the

[d] [Schism Dispatched, sect. 6.] p. 573.

[e] [Ibid.]

[f] [See Socrat., Eccl. Hist., lib. i. c. 8; &c.]

[g] [Replic., &c., c. i. sect. 2. pp. 69—71.]

[h] [Schism Dispatched, sect. 6. p. 573.]

[i] [See Seckendorf, Hist. Lutheranism., lib. iii. § lxxv. num. 11; and lib. i. § cxlix. addit. 2.]

[k] [Seckend., ibid., lib. ii. § xxxvi. num. 28; lib. iii. § cix. num. 7.]

political Head, the ecclesiastical Head is a general Council, and under that each Patriarch in his Patriarchate, and among the Patriarchs the Bishop of Rome by a priority of order. We, who maintain the king to be the political Head of the English Church, do not deny the spiritual Headship of Christ, nor the supreme power of the representative Church, that is, a general Council or Synod, nor the executive Headship of each Patriarch in his Patriarchate, nor the Bishop of Rome's Headship of order among them: and thus this great objection is vanished. By this he may see, that we have introduced no new form of ecclesiastical government into the Church of England, but preserved to every one his due right if he will accept of it; and that we have the same dependence upon our ecclesiastical superiors, which we had evermore from the primitive times.

He chargeth us, that we "give no certain rule to know which is a general Council, which not," or "who are to be called to a general Council[l]." [Our conditions of a general Council the same as those of the primitive Church.]

There is no need why we should give any new rules, who are ready to observe the old rules of the primitive Church. General summons to all the Patriarchs, for them and their clergy,—general admittance of all persons capable, to discuss freely, and to define freely, according to their distinct capacities,—and, lastly, the presence of the five Protopatriarchs and their clergy, either in their persons or by their suffrages, or in case of necessity, the greater part of them,—do make a general Council[m]. Whilst we set this rule before us as our pattern, and swerve not from it but only in case of invincible necessity, we may well hope, that God, Who looketh upon His poor servants with all their prejudices and expecteth no more of them than He hath enabled them to perform, Who hath promised, that "where two or three are gathered together in His name, there will He be in the midst of them," will vouchsafe to give His assistance and His blessing to such a Council; which is as general as may be, although perhaps it be not so exactly general as hath been, or might have been now, if the Christian empire had flourished still as it did anciently. In sum, I shall be ever ready to acquiesce in the [Matt. xviii. 20.]

[l] [Schism Dispatched, sect. 6. p. 576.]

[m] [See Reply to S. W., sect. 10; above p. 330.]

PART I. determination of a Council so general as is possible to be had; so it may be equal, not having more judges of one country than all the rest of the Christian world, as it was in the Council of Trent, but regulated by the equal votes of Christian nations, as it was in the Councils of Constance and Basle; and so as those nations, which cannot in probability be personally present, may be admitted to send their votes and suffrages as they did of old; and, lastly, so it may be free, called in a free place, whither all parties may have secure access, and liberty to propose freely, and define freely, according to the votes of the Fathers, without being stinted or curbed or overruled by "the Holy Ghost sent in a currier's budget[n]." And for the last part of his exception,—that 'heretics should not be admitted[o],'—I for my part should readily consent; provided that none be reputed heretics, but such as true general Councils have evidently declared to be heretics, or such as will not pronounce an anathema against all old here- 389
sies, which have been condemned for heresies by undoubted general Councils. But to imagine that all those should be reputed heretics, who have been condemned of heresy or schism by the Roman Court for their own interest, that is, four parts of five of the Christian world, is silly and senseless, and argueth nothing but their fear to come to a fair impartial trial.

[A general Council possible at the present time, by means of proxies.]

And this is a full answer to that which he allegeth out of Dr. Hammond, that "general Councils are now morally impossible to be had, the Christian world being under so many empires, and divided into so many communions[p]." It is not credible, that the Turk will send his subjects, that is, four of the Protopatriarchs with their clergy, to a general Council, or allow them to meet openly with the rest of Christendom in a general Council, it being so much against his own interest; but yet this is no impediment why the Patriarchs might not deliver the sense and suffrages of their Churches by letters or by messengers; and this is enough to make a Council general. In the first Council of Nice there were only five clergymen present out of the Western Churches[q];

[n] [See Just Vindic., c. ix. vol. i. pp. 258, 259.]

[o] [Schism Dispatched, sect. 6. p. 576.]

[p] [Ibid., from Hammond, Reply (to the Catholic Gentleman's Answer to the Book of Schism, c. iii. sect. 1. § 12. num. 3).]

[q] [Act. Concil. Nicæn. I., ap. Labb., tom. ii. pp. 50—54.—Bellarm., De

in the great Council of Chalcedon, not so many[r]; in the Councils of Constantinople and Ephesus, none at all[s]. And yet have these four Councils evermore been esteemed truly general, because the Western Church did declare their consent and concurrence. Then as there have been general oriental Councils without the personal presence of a Western Bishop, so there may be an occidental Council without the personal presence of one Eastern Bishop, by the sole communication of their sense and their Faith. Neither is such communication to be deemed impossible, considering what correspondence the Muscovian Church did hold long with the Patriarch of Constantinople[t], and the Abyssene hath long held and doth still hold with the Patriarch of Alexandria[u].

It is confessed, that there are too many different communions in Europe; it may be, some more than there is any great cause for; and perhaps different opinions where there is but one communion, as difficult to be reconciled as different communions. But many of these mushroom sects are like those inorganical creatures bred upon the banks of Nilus, which perished quickly after they were bred, for want of fit organs[x]. The more considerable parties, and the more capable of reason, are not so many; if these could be brought to acquiesce in the determination of a free general Council, they would tow the other like lesser boats after them with ease.

No man will say, that "the unity of the Church in point of government doth consist only" in their actual subordination to "general Councils[y]." General Councils are extraordinary remedies, proper for curing or composing new differences of great concernment in Faith or discipline. That being done, general Councils may prove of more danger than use. No healthful man delighteth in a continual course of physic. But unity consisteth also, and ordinarily, in con-

Concil., lib. i. c. 17; Op. tom. i. p. 1136. C.]

[r] [Act. Concil. Chalced., ap. Labb., ibid. tom. iv. pp. 786—792.—Bellarm., ibid. D. There were only present the legates of Pope Leo according to the latter, but in the Acts are mentioned two African Bishops also. See Tillemont, Mém. Eccl., Vie de St. Leon, art. 100.]

[s] [Bellarm., ibid.; and see Field, Of the Church, bk. v. c. 49. p. 648.]

[t] [See above p. 181. note e.]

[u] [See Mosheim, Eccl. Hist., Cent. xvi. bk. iv. sect. 3. c. 2. § 12; and the authorities there quoted.]

[x] [Pompon. Mela, lib. i. c. 10.]

[y] [From Schism Dispatched, sect. 6. p. 576.]

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formity and submission to that discipline which general Councils have recommended to us, either as "the legacies of Christ and His Apostles," or as ecclesiastical policies instituted by them (with the concurrence or confirmation of Christian sovereigns) for the public good of the Catholic Church.

[We have not hindered a general Council by renouncing the Papacy.]

He chargeth us, that we "have so formed God's Church," that there is no "means" left "to assemble a general Council," having "renounced his authority, whose proper office it was to call a general Council[z]."

His errors seldom come single, but commonly by clusters or at least by pairs. What height of confidence is it to affirm, that it is the "proper office" of the Pope "to call general Councils," when all ingenuous men do acknowledge, that all the first general Councils were "*ab imperatoribus indicta*"—"called by emperors[a]?" to which the Pope's friends add, that it was "by the advice and with the consent of the Pope[b]." And Bellarmine gives divers reasons why it could not be otherwise; "first, because there was a law, which did forbid . . frequent asssemblies for fear of sedition;"—"secondly, because no reason doth permit, that such an assembly should be made in an imperial city without the leave of the lord of the place;"—"thirdly, because general Councils were made then at the public charge[c]." He might have added, that Councils did receive their protection from emperors, and they who sit in Councils were the subjects of emperors.

In the second place, he erreth in this also, that we 'have 390
taken away the means of assembling general Councils[d].' We have taken away no power from the Pope of convocating any synods, except only synods of the king of England's subjects within his own dominions without his leave; which Bellarmine himself acknowledgeth to be agreeable to reason[e]. If the Pope have any right, either to convocate general Councils himself, or to represent to Christian sovereigns the fit seasons for convocation of them, either in respect of his "beginning

[z] [Ibid., p. 567. bis. This and the next few pages are paged again by mistake with the same numbers.]

[a] [Bellarm.,] De Concil., lib. i. c. [13; Op. tom. i. p. 1124. D.]

[b] [Id., ibid.]

[c] [Id., ibid. pp. 1124. D, 1125. A, B.]

[d] [Schism Dispatched, sect. 6. p. 567. bis.]

[e] [As quoted in note c.]

of unity" or of his Protopatriarchate, we do not envy it to him; since there may be a good use of it in respect of the division of the empire, so good caution be observed. Bellarmine confesseth, that [by[f]] that power which we acknowledge (that is, that "though the Pope be no ecclesiastical monarch, . . but only chief of the principal Patriarchs"), "yet the right to convocate general Councils should pertain unto him[g]." But it may be, this is more than Mr. Serjeant did know.

[3. The author's last ground; viz. the exemption of the Britannic Churches.]

3. My last ground was the exemption of the Britannic Churches from foreign jurisdiction by the general Council of Ephesus[h]. As to the exemption of the Britannic Churches, he referreth himself to what he had said formerly[i], and so do I. To the authority of the Council of Ephesus he answereth, that "howsoever Cyprus and some others are exempted from a neighbouring superior, falsely pretending a jurisdiction over them," yet I "shall never shew a syllable in the Council of Ephesus exempting from the Pope's jurisdiction as Head of the Church[k]."

Not directly; a man may safely swear it; for the Council never suspected it, the world never dreamed of it, the Popes themselves never pretended to any such Headship of power and universal jurisdiction over the whole Church in those days. All that the primitive Popes claimed by Divine right, was a 'primacy of order,' or "beginning of unity," due to the Chair of St. Peter; all that they claimed by human right, were some privileges, partly gained by custom or prescription, and partly granted by the Fathers to the See of Rome, because it was "the imperial city." But there is enough in this very canon collaterally to overthrow all the usurpations of the Roman Court. There is no need that Britain should be named particularly, where all the provinces without exception are comprehended,—"Let the same be observed in other dioceses and in all provinces[l]." There is no need that the Bishop of Rome should be expressed, where

[f] [Added in the folio edition.]

[g] De Concil., lib. i. c. 12. [Op. tom. i. p. 1120. C.]

[h] [Reply to S. W., sect. 6; above p. 308. See also Just Vindic., c. v. vol. i. pp. 156, 157.]

[i] [Schism Dispatched, sect. 6. p. 569. bis, referring to sect. 4. (pp. 542, &c.). See above in the present vol., sect. iv. pp. 525—530.]

[k] [Ibid.]

[l] [Concil. Ephes. P. ii. Act. 7; ap. Labb., Concil., tom. iii. p. 802.]

PART I.

all the Bishops are prohibited,—"That no Bishop occupy another province, which formerly and from the beginning was not under the power of him or his predecessors[m]." If the Fathers were so tender of "pride creeping into the Church[n]" in those days, or of the danger 'to lose their Christian liberty[o]' in the case of the Bishop of Antioch, who pretended neither to Divine right nor universal jurisdiction; what would they have said or done in the present case of the Bishop of Rome, who challengeth not only Patriarchal but sovereign jurisdiction, not over Cyprus only but over the whole world, not from custom or canons but from the institution of Christ? If Mr. Serjeant be in the right, then the Bishop of Antioch was quite out, to sue for the jurisdiction of Cyprus which belonged more to the Bishop of Rome than to him; then the Bishops of Cyprus were quite out, to challenge the ordination of themselves, and jurisdiction over one another, as a proper right belonging to themselves, which they hold only by courtesy and favour from the Bishop of Rome; then the holy synod was quite out, to determine so positively, that not only Cyprus but "every province" should "enjoy its rights and customs inviolated, which it had from the beginning[p]," without a '*salvo*' or saving the right of the Bishop of Rome, or a restriction—so long as he pleaseth to permit them; and to do it in such imperial terms,—"It hath pleased the holy synod[q]," or, such is our pleasure; lastly, the Pope himself was out, to ratify the privileges and exemptions of the Cyprian Bishops[r], not only from the Patriarch of Antioch but from himself also, and to suffer his Divine right to be trampled under foot by customs and canons, which are of no force without him. But this is the least part of the passages in the four first general Councils, which are repugnant to the Pope's pretensions of a general monarchy. The Eastern Churches do still adhere firmly to the primitive discipline, and for this cause the Pope hath thought fit to excommunicate them. "*Si violandum jus est, regnandi causâ violandum est*[s]."

[m] [Act. Concil. Ephes., ibid.]
[n] [Ibid.]
[o] [Ibid.]
[p] [Ibid.]
[q] [Ibid.]
[r] [See Labbé's Hist. of the Counc., ibid. pp. 8—10.]
[s] [Eurip., Phœniss. 527, 528. ed. Valck., as translated by Cæsar, ap. Cic., De Offic., iii. 21.]

Against all our grounds,—the most intolerable extortions
391 that ever were heard of, most grievous usurpations, malignant influence both upon the state politic and ecclesiastic, and undoubted privileges,—he produceth nothing but "immediate tradition:" and you must be content to take his bare word for it, for he is altogether unfurnished of proofs. Some men by telling strange stories over and over do come at last to believe them. It may be, he believeth there was a tradition for those branches of Papal power, which we cast out; but we deny it altogether; and require him to prove, first, that there was such a tradition in England; next, that a particular tradition is a sufficient proof of Divine institution.

[Our grounds sufficient for reforming, which we did, although not for violating unity, which we did not.]

We admit readily, that "the unity of the Church" is of great "importance," and "the breaking of it" a "heinous" crime, and that no "abuses imaginable are sufficient excuse" for a total desertion of a just power[t]. Thus far in the thesis we agree, but in the hypothesis we differ; that which is a sufficient ground for a reformation, is not a sufficient ground for an extirpation. So many, so grievous, so unconscionable extortions, and usurpations, and malignant influences, as we complain of and prove, are without all peradventure a sufficient ground of reformation, which is all our ancestors did, or we defend, though not a sufficient cause of the extirpation of any just authority. Our grounds are sufficient for a reformation of abuses and encroachments, which we acknowledge, and which is all we did at the Reformation; but for the abolition of any just power, it is his fond imagination, we disclaim it altogether. We have cast out all Papal coactive jurisdiction in the exterior court, as being political, not spiritual; but for any Papal jurisdiction, either purely spiritual, or justly founded, we have not meddled with it; those things which we have cast out, are only abuses and usurpations. So there is no need of that consideration which he proposeth, whether the abuses were otherwise remediable, or not; for our Reformation is that very remedy which he himself hath prescribed—to hold out encroachments with the point of the sword[u],—without any meddling with just right. Other divi-

[t] [Schism Dispatched, sect. 6. pp. 569, 570. bis.]

[u] [Ibid., p. 568; see above p. 561.]

PART I.

sion than this (which he himself hath allowed) we believe our ancestors intended none, we hold none, and so are accountable for none.

The main question is, whether the Britannic Churches were *de facto* subject to Rome or not. I have demonstrated the contrary already,—that they were not, and had always their ordinations at home[x]. But his conclusion, which he puts upon me,—that "true complaints against governors, whether otherwise remediable or no, are sufficient reasons to abolish that very government[y]"—is a vain assertion of his own, no conclusion of mine.

[Mr. Serjeant's puerile question.]

He starteth a question here little to his own credit, whether he that maintaineth the negative, or he that maintaineth the affirmative, ought to prove. He saith (according to his old "pueriles"), that 'a negative may be proved in logic[z].'

No man doubteth of it, or denieth it; '*quis enim potest negare?*' I said, on the contrary, that in this case which cometh here in difference between us, according to the strict rules of law, the burden to prove resteth only on his side who affirmeth[a]. As the question is here between us,—whether we had other remedies, than to make such a reformation as we did,—we say, no; they say, yea. It is possible to prove there might be other remedies, but it is impossible to prove there were no other remedies. Galen or Hippocrates himself would not have undertaken such a task, to prove that there were no other remedies for a disease than that which they used. It is not for want of logical forms, that negatives are not to be proved in matter of fact, but for want of sufficient mediums. He saith he is no "bowler," and "so unexpert as not to understand" what is "the soaling of a bowl[b];" it may be it is true, but if I should put him to prove this negative, it is impossible. But so far as a negative of that nature is capable of proof, I did prove it, by our addresses to Popes and Councils, and long expectation in vain, that we had no other remedy than that which we used, to thrust out

[x] [Above sect. v. pp. 528. 537.]
[y] [Schism Dispatched, sect. 6. p. 570. bis.]
[z] [Ibid., p. 571. bis: and sect. 4. title.]
[a] [See Reply to S. W., sect. 6; above p. 308.]
[b] [Schism Dispatched, Introd. p. 476.]

their usurpations by the power of the sword[c], which course he himself adviseth[d], and we practised. The division is not made by them who thrust out usurpations, but by them who brought them in and defend them.

I said, that not only our ancestors, but "all Catholic countries did maintain their own privileges inviolated, and make themselves the last judges of their grievances, from the Court of Rome[e]." Hence he concludeth with open mouth, therefore there were "other remedies," there needed no "division[f]." 92

[We have reformed abuses, not divided ourselves from the Roman Church.]

Alas, poor man, how he troubleth himself about nothing! They and we used the very same remedies, the same that he adviseth in this place.—"The Pope would not ease them upon many addresses made; what then? had not the king the sword in his own hands? did it not lie in his power to right himself as he listed? and to admit those pretended encroachments only so far as he thought just and fitting[g]?" Yes, the king "had the sword in his hands," and did "right himself," and cast out those Papal usurpations "so far as he found just;" and now when we have followed your own advice, you call us "schismatics" and "dividers." Sir, we are no "dividers," but we have done our duties; and if we prove those things which we cast out to be usurpations (as we have done), you are the schismatics by your own confession.

He pleadeth, if Papal authority be "of Christ's institution," then "no just cause can possibly be given" for its "abolishment[h]."

[We have abolished nothing of Christ's institution.]

Right; but those branches of Papal power which we have cast out, are neither "of Christ's institution," nor of man's institution, but mere usurpations. Neither do we seek to "*abolish* Papal authority," but to reform it from accidental abuses, and reduce it to its first institution. The best institutions, Divine or human, may sometimes need such reformation. Here is nothing like proof but his "world

[c] [Reply to S. W., sect. 6. (above p. 309); see Just Vindic., c. vi. vol. i. pp. 193—196.]

[d] [See above p. 561, note r. and Schism Dispatched, sect. 6. p. 568.]

[e] [Reply to S. W., sect. 6; above p. 309.]

[f] [Schism Dispatched, sect. 6.] p. 571. [bis.]

[g] [Ibid.]

[h] [Ibid., p. 572. bis.]

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of witnesses[l]," and his "immemorial" tradition[k], presumed, not proved.

To shew that no nation suffered so much as England under the tyranny of the Roman Court, he saith I produce nothing but the "pleasant saying of a certain Pope[l]."

Well, would he have a better witness against the Pope than the Pope himself? "*Habemus confitentem reum.*" He was "pleasant" indeed, but

> " . . . . — Ridentem dicere verum
> " Quid vetat[m] ?—"

"what hindereth that a man may not tell the truth laughing?"

He asketh, whether those "testimonies" which I produce be "demonstrative or rigorous evidences[n]?"

I think he would have me like the unskilful painter, to write over the heads of my arguments, 'This is a demonstration.' It would become him better to refute them, and shew that they are not demonstrative, than to trifle away the time with such frivolous questions.

[The rest of Christendom Catholic as well as the Roman obedience.]

I shewed, that "England is not alone in the separation, so long as all the Eastern, Southern, Northern, and so great a part of the Western Church, have separated themselves from the Court of Rome, and are separated by them from the Church of Rome as well as we[o]." In answer to this, he bids me "shew, that those" I "call Christians have any infallible or certain rule of Faith[p]," &c.

This is first to hang men up, and then to examine their cause; first to excommunicate four parts of five of the Christian world for their own interests, because they will not submit their necks to the Roman yoke, and embrace their upstart usurpations with as much devotion as the genuine legacies of Christ and His Apostles[q]. It behoved the Court of Rome to have weighed the case more maturely, before they gave such a temerarious sentence, against the much

[l] [Ibid., p. 574. bis.]
[k] [Ibid., p. 572. bis.]
[l] [Ibid., p. 573. bis; from Reply to S. W., sect. 6, above p. 309.]
[m] [Horat., Sat. I. i. 24, 25.]
[n] [Schism Dispatched, sect. 6. p. 574. bis.]
[o] [Reply to S. W., sect. 6; above pp. 309, 310.]
[p] [Schism Dispatched, sect. 6. p. 575. bis.]
[q] [This passage stands as here printed in all the editions; but a clause seems from the sense to be wanting.]

greater part of Christendom, in so weighty a cause. But for their "rule of Faith," they have a more certain and authentic rule than he himself, by as much as the Apostles' Creed is a more authentic rule of Faith than Pius the Fourth's Creed, and the Holy Scriptures a more infallible ground than particular supposititious tradition, which wanteth both perpetuity and universality.

I said, that "we desired to live in the peaceable communion of the Catholic Church as well as our ancestors, as far as the Roman Court will give us leave[r]." He answereth, that he "knoweth very well" we "would be glad" that "the Church" of Rome "would own" us "for hers," &c.; that "Jack Straw, or Wat Tiler, after they had rebelled, had no mind to be hanged;" that "it is no charity or courtesy in" us, "but a request of an unreasonable favour from" them, "to admit" us "into their communion, and would be most absurd in government[s]," &c.

393 Whether they hold us for theirs or not, is not much material; if they did, it were the better for themselves; if they do not, it is not the worse for us: so as Christ own us for His, it skilleth not much whether they say, "Come ye blessed," or "Go ye cursed;" whether we be the wheat or chaff, their tongues must not winnow us. Although he snuff at our desire of union, yet God Almighty sets a greater value upon it. He is not out of the Church, who is within it in the desires of his heart, and implicitly in the preparation of his mind. Observe, reader, who are the procreative and conserving causes of this schism. They frighted us from them with new articles and usurpations, they thrust us from them with new censures and excommunications; and if we had a mind to return, they tell us it were "absurd in government" to readmit us. But my chiefest wonder is, that he, who was the other day by his own vote an arch "rebel[t]," should talk so suddenly of "hanging." Sudden changes are always dangerous, and for the most part personated.

[Matt. xxv. 34. 41.]

He asketh, "whether our ancestors" did "renounce the Pope's authority as Head of the Church[u]?"

[We have done no more than

[r] [Reply to S. W., sect. 6; above p. 310.]

[s] [Schism Dispatched, sect. 6. pp. 575, 576. bis.]

[t] [See Prelim. Chapter, above p. 358. note j.]

[u] [Schism Dispatched, sect. 6. p. 576. bis.]

PART I. our ancestors.]

If he mean a Head of order, they did not; no more do we: if he mean a Head of sovereign power, they did; and so do we. What I granted once, I grant always; it is for turncoats to "take their swings[x]." I write '*semper idem*' of the same religion wherein I was baptized; can he do the same?

But he urgeth, that I make it "the top of" my "climax, that our ancestors threatened to make a wall of separation between the Court of Rome and them, which sheweth . . that they did it not: but it is evident, that" we "have done what they only threatened to do;" and plead for our excuses, that we "have more experience than" our "ancestors had[y]."

I made it "the top of my climax" indeed; honest men's words are as good as deeds. But doth he think that our ancestors did only make counterfeit "grimaces[z]," and threaten that which they could not lawfully have performed? "*Absit:*" the laws and the threatening are easily reconciled. Our ancestors made very severe laws against the usurpations of the Court of Rome, as I have shewed in particular throughout; but they did not execute them so rigorously, but connived at many innocent or not pernicious encroachments, in hope the Court of Rome and their emissaries would have kept themselves within some tolerable bounds of moderation. But they found by experience, and we by much longer and surer experience, that all our hopes were vain; that the avarice of the Roman Court was not to be satiated or to be stinted; that if we give them leave to thrust in their head, they would quickly draw in their body after. And therefore our ancestors, finding this true in a great part, did threaten them to make "a wall" of separation[a], that is, to execute their laws rigorously, to use no more indulgence or connivance, to take away their coactive power in the exterior court altogether, which the laws have taken away before sufficiently. And we, being confirmed by much longer and surer experience, have accomplished what they threatened. So this "threatened wall of separation" is no new law, but a new mandate to execute the old laws: and our experience and our ancestors' materially is the same, but ours is more grounded and more sure; their

[x] [Ibid.]
[y] [Ibid., pp. 576. bis, 577.]
[z] [Just Vindic., c. vii. vol. i. p. 246.]
[a] [Matt. Paris., in an. 1246. p. 701.]

separation and ours was the same to point of law, but not of execution. And the reason why "our ancestors' remedies were not sovereign or sufficient enough [b]," was not want of virtue in the remedy, but want of due application. Thus all Mr. Serjeant's hopes are vanished, and his "contradictions" tumbled to dust. "Great is truth and prevaileth." [3 Esdras iv. 41.]

Yet he keepeth a great stir and bustling about our "experience more than" our "ancestors';" and prayeth me, in his scoffing manner, "Good my lord, tell us what this new experiment was;" and despairing as it were of success in his request, he addeth, "since you are resolved to make a secret of this rare experiment [c]."

Now I have told him the "secret," what good will it do him? As much as he may put in his eye and see never a jot the worse. I told him this rare secret before, in these words,—"We have more experience than our ancestors had, that their remedies were not sovereign or sufficient enough; that if we give him leave to thrust in his head, he will never rest until he have drawn in his whole body after, whilst there are no bonds to hold him but national laws [d]." But I was not bound both to write him a lecture and find him eyes.

Now, readers, look to yourselves, out cometh the great "monster," that hath been so long threatened, (as he phraseth it scurrilously) in the likeness of a drunken "Dutchman making indentures with his legs;" so, saith he, my "discourse staggers, now to the one, now to the other, far distant side of the contradiction [e]." The reader shall find that the fault is not in the innocent Dutchman, who goeth straight enough; but in the prevaricator's eyes, who seeth double. Either he did never know, or he hath forgotten, what a contradiction is. The itch or humour of contradicting hath so far possessed him, that he regardeth not what the rules of contradiction are. [The author's supposed "contradictions."]

The first contradiction is, that the "laws of our ancestors were not remedies sufficient enough," yet I "maintain stoutly that in the separation no new law was made;" that

[b] [Reply to S. W., sect. 6; above p. 310.]
[c] [Schism Dispatched, sect. 6.] pp. [577,] 578.
[d] Reply [to S. W., sect. 6; above] p. [310.]
[e] [Schism Dispatched, sect. 6. pp. 578, 579.]

PART I. is (as he collecteth), "the same laws were both sufficient and not sufficient[f]."

Is this the monstrous contradiction which he promised to shew the readers "for pence a piece?" "The same laws were not sufficient in the days of our ancestors," and yet "the same laws were sufficient in the days of Henry the Eighth," hath no show of a contradiction in it, nor of any the least opposition, which ought always to be made, according to the rules of logic, 'at the same time.' I will shew him a hundred of these contradictions every day in the week for nothing. Mr. Serjeant was no Roman Catholic, Mr. Serjeant is a Roman Catholic—is just such another contradiction; or, the same plaister was not sufficient to cure such a sore at one time, yet it was sufficient at another time, when the body was better disposed. All his "contradictions" end in smoke and laughter.

The second contradiction is, that I said "the laws of other countries were equivalent to those of England," but I acknowledge elsewhere that "the laws of other countries" were "sufficient" and here I say that 'the laws of England were insufficient;' so they were 'equivalent and inequivalent[g].'

Here is another contradiction like the former. The same laws proved "sufficient" to France, yet proved "insufficient" to England. It is another rule in logic, 'Opposition ought to have the same subject and the same predicate without ambiguity;' but here the predicate is diverse,—'sufficient for France,' 'not sufficient for England,'—and ambiguity, more than enough. He might as well argue, the same medicine will work upon a child, which will not work upon a man, therefore the same medicine is not equivalent to itself.

The third contradiction is, that I say, "all Catholic countries did maintain their privileges inviolate by means which did not maintain them, or by laws which were not sufficient to do it[h]."

Where did I say this? It is his collection, not my asser-

[f] [Ibid., p. 579. "The same laws were formerly as then, but were not formerly, sufficient."]

[g] [Ibid.]

[h] [Ibid.]

tion; but let it pass muster for once. Here is a contradiction deserves a bell and a bable[1]: Catholic countries did maintain their privileges inviolate by such means, at one time not at another, in one place not in another, in one degree not in another, in one respect not in another.

The last mock contradiction is, that I say, the "laws which denied the Pope all authority, and were actually in force, that is, actually left him none, were not sufficient remedies against the abuses of that authority, which had quite taken them away[k]."

This is not finding of contradictions, but making of them. Give him leave to use this "*id est*"—"that is," and he will make a hundred contradictions in every page of the Bible; as here,—"actually in force, *that is*," which "actually left" the Pope "no authority," or which "had quite taken his authority away." If this "*id est*,"—"that is," be mine, then he may object the contradiction to me; if it be not, then he may keep the contradiction to himself, such as it is. He knoweth, and all the world know, that a law is said to be actually in force, whilst it is unrepealed; in this sense I did, and all men but himself do, use that expression. And here he committeth a third gross fault against the rule of opposition, which ought to be ever '*πρὸς τὸ αὐτὸ*'—'in the same respect.' The law taketh away abuses as a rule; but the magistrate by due execution as an artificer. The law is sufficient, when it is sufficiently penned and promulged; but the effect followeth the due execution. The not observing of this obvious and easy truth hath made us all this stir about imaginary contradictions: as I have shewed in my answer to his last paragraph, which alone is a sufficient answer to all these pretended contradictions; but whether it will be so "actually in force" to procure his assent, is more than I know: if it do not, it detracteth nothing from the sufficiency of the answer. Go, Mr. Serjeant, go, bring us less wind and more weight.

395 "Sæpius in libro memoratur Persius uno,
"Quam levis in totâ Marsus Amazonide[l]."

[1] [i. e. bauble. See Nares' Glossary, sub voce "bable."]

[k] [Schism Dispatched, sect. 6. p. 579. "Which *they* (i. e. the laws) had quite taken away."]

[l] [Martial., Epigr., IV. xxix. 7, 8.]

PART I.

In the last paragraph is nothing but a calumny against Henry the Eighth[m], which he is not able to prove; and if he were, it neither concerneth us nor the question.

SECTION VII.

THAT THE KING AND CHURCH OF ENGLAND PROCEEDED WITH DUE MODERATION.

[III. The *moderation* of the king and Church of England in their reformation.]

THIS section doth not much concern either us or the merit of the cause. A reformation might be just and necessary, although the reformers did exceed the bounds of due moderation; neither are we answerable for their excesses, further than we ourselves do maintain them. I pass by his "pleasant topic[n]" unsaluted, as being impertinent, and having nothing in it deserving the least stay of a serious reader.

[1. The first branch of our moderation; viz. that we deny not to other Churches the true being of Churches, &c.]

1. I reckoned this as the first branch of our moderation, that "we deny not to other Churches the true being of Churches nor possibility of salvation, nor separate from Churches but from accidental errors[o]." For all his scoffing, if their Church would use the like moderation, it would save the world a great deal of needless debate.

[We have not separated from the true principles of unity.]

Against that which I say, he objecteth thus, "Now the matter of fact hath evidenced undeniably, that they" (the Protestants) "separated from those points, which were the principles of unity both in Faith and government[p]."

He hath brought his "matter of fact" and his "principles of unity" so often upon the stage already, and they have been so often clearly answered, that I will not insist upon such a threadbare subject, or trouble the reader with an irksome repetition. We have seen how far his "principles of unity," or his 'fundamental of fundamentals' is true, and ought to be admitted: and in a right sense, we adhere much more firmly unto them than the Church of Rome itself.

[m] [Schism Dispatched, sect. 6. p. 580.]

[n] [Down-Derry, p. 318.—Schism Dispatched, sect. 7. p. 581.]

[o] [Reply to S. W., sect. 7; above p. 311.]

[p] [Schism Dispatched, sect. 7. p. 581.]

[How far the Church of Rome errs in the judgment of the Church of England.]

He proceedeth, that the "Church of England defines, that our Church" (the Church of Rome) "erreth in matter of Faith, Artic. 19[q]."

The words of the Articles are, "*Non solum quoad agenda et ceremoniarum ritus, verum etiam in iis quæ credenda sunt*[r];" that is, "Not only in practical observations and ceremonial rites, but also in those things which are to be believed;" that is, (to use Cardinal Cajetan's distinction[s],) not in those things which are "*de Fide formaliter*," in necessary fundamental articles (for we acknowledge that the Church of Rome doth still retain the essentials of Faith[t]), but in those things which are "*Fidei materialiter*"—in inferior questions which happen in things to be believed, that is to say, opinions, wherein himself acknowledgeth that a particular Church may err[u]. That this is the right sense of the Article appeareth hence; that the Article doth contradistinguish "*credenda*," or "things to be believed," not to opinions, but to "*agenda*"—"things to be practised."

He urgeth, that we have declared "four points" of their "Faith" to be "vain fictions, contradictory to God's Word, Artic. 22[x]:" that is to say, their doctrine of Purgatory, Indulgences, their adoration of Images and Relics, invocation of Saints.

Right, four points of their *new* Faith, enjoined by Pius the Fourth, but no Article of the old Apostolical Faith, and at the best only opinions. Yet neither doth he cite our Article right; which doth not define them to be *contrary to* Scripture, but only *besides* the Scripture, or "not well grounded upon any texts of Scripture[y]."

He addeth, "The like character is given of another point, Art. 28;" that is, Transubstantiation: "our highest act of devotion (Art. 31.) is styled a blasphemous fiction and pernicious imposture;" that is, the propitiatory Sacrifice of the Mass[z].

[q] [Ibid., p. 582.]
[r] [Art. 19.]
[s] [See above p. 463. note x.]
[t] [See above in the Replic., &c., c. i. sect. 1. pp. 55—57.]
[u] [Schism Dispatched, sect. 7. p. 587.]
[x] [Ibid. p. 582.]
[y] ["Nullis Scripturarum testimoniis innititur;" adding however "Verbo Dei" ("perniciose" Art. 1552) "contradicit." Art. 1562. art. 22; in Sparrow's Collection of Canons, &c.]
[z] [Schism Dispatched, sect. 7. p. 582.]

PART I.

Concerning Transubstantiation what is our opinion, I refer him to my Answer to Milletière, in the very beginning of it[a]. And concerning their propitiatory Sacrifice of the Mass, to the same Answer, p. 152. second edition[b]. The true state of the controversy was not so clearly understood at first on either side, as it is now. He cannot go one step further than we do in that cause without tumbling into direct blasphemy.

It followeth, "And (Art. 33.) that those who are cut off 396 from the Church publicly, . . should be held as heathens and publicans[c]."

Well, here is no distinction between Roman Catholics and Protestants; and Franciscus à Sanctâ Clarâ, in his Paraphrastical Exposition of the English Articles, giveth this judgment of this Article,—"This Article is Catholic, and agreeable as well to Holy Scripture as to antiquity[d]." Then why doth he snarl at this Article, which he cannot except against? Because he "conceiveth," that the Article "meaneth Catholics, or at least doth include them[e]." Judge, reader, what a spirit of contradiction doth possess this man, who, when he is not able to pick any quarrel at the words of the Article, calumniateth the meaning upon his own groundless suspicion.

[The Church of England not answerable for the virulence of particular preachers.]

But "nothing was . . more common in the mouths of" our "preachers than to call the Pope Antichrist, the Church of Rome the Whore of Babylon, idolatrous, superstitious, blasphemous; and to make up the measure of his forefathers' sins, the Bishop calls here the two principles of unity in Faith and government, . . errors and falsehoods[f]."

If any of our preachers, being exasperated by some such boutefeus as himself, have in their pulpits used any virulence or petulance against the Church of Rome, let him make use of his style against them, who will furnish him with lettuce suitable to his lips; what is that to the Church of England? what is that to us?

[a] [Answ. to La Millet. (vol. i. pp. 7—23). Disc. i. Pt. i.]

[b] [Viz. Hague 1654;—pp. 54, 55; in the present edition.]

[c] [Schism Dispatched, sect. 7. p. 582.]

[d] [Expos. Paraph. Artic. Confess. Anglic., Art. 33. p. 391. ed. 1635.]

[e] [Schism Dispatched, sect. 7. p. 582.]

[f] [Ibid., pp. 582, 583; from Reply to S. W., sect. 7. above p. 311.]

"Quid immerentes hospites vexat canis,"
"Ignavus adversus lupos[g]?"

Let him but observe what liberty he himself taketh, without any manner of provocation. But as for myself, he doth me notorious wrong; I did not mention any "principles of unity" in this place, nor so much as dream of them, but that he must needs bring them in by head and shoulders in every paragraph. All I said was this, that we do "not separate from other Churches but from their accidental errors;" but some men are like nettles, touch them gently and they sting you.

"The first part of our moderation was," not to censure other Churches for no Churches, nor deny them "possibility of salvation," nor thrust them from our communion; which I shewed in the example of St. Cyprian[h]. In answer to this he sheweth the unlawfulness of "communicating with idolaters," which is "reconciling Christ with Antichrist[i]." Was not this impertinent, if he himself were judge?

[It is lawful to communicate in some things with material idolaters.]

I said, it might be very lawful in some cases "to communicate with material idolaters, heretics, and schismatics" (that is, such as err through ignorance and frailty, not obstinacy) "in religious duties[k]." And for proof hereof, I produced the instance of the primitive Christians, communicating in some cases with the heretical Arians and the schismatical Novatians[l].

He demands, first, "who forbids them to go visit the sick[m]?" I add, or pray with them also; which was as much as I said there.

But because he falleth with such violence upon the point, I will now take the liberty to express myself more fully. First, it is to be remembered, that I did speak only of *material* idolaters, heretics, or schismatics, not formal. Secondly, of pious offices, not of idolatrous acts, nor any thing favouring heresy or schism. Thirdly, I do now exclude case of scandal; for just scandal may make that act to be unlawful, which in

[g] [Horat., Epod. vi. 1, 2. "vexas."]
[h] [Reply to S. W., sect. 7; above p. 311. note c.]
[i] [Schism Dispatched, sect. 7. p. 584.—Down-Derry, p. 318.]
[k] [Reply to S. W., sect. 7; above pp. 311, 312. See also in the Replic., &c., Answ. to Pref., sect. 4, above pp. 46, 47.]
[l] [Ibid., p. 312. note c.]
[m] [Schism Dispatched, sect. 7. p. 584.]

PART I. itself is lawful. Fourthly, I except cases of just obedience; the prohibition of a lawful superior, civil or ecclesiastical, may make that act to be unlawful, which was indifferent. Lastly, I distinguish between persons learned and grounded in religion, and persons unlearned and ungrounded: the former may and ought to communicate with idolaters, heretics, and schismatics, as far as they can with a good conscience, to gain them to the truth; the latter are obliged not to come over near to pitch, lest they be defiled.

The question being thus stated, I believe the main point hath no great difficulty in it. For they who are idolaters, heretics, or schismatics only materially, not formally, that is, against their meanings, resolutions, and intentions, are no idolaters, heretics, or schismatics in the eyes of God or discerning men; neither are they out of the pale of the Church, or out of the way of salvation. As the Bishop of Chalcedon saith most truly, 'we allow all those to have saving Faith, to be in the Church, in way of salvation, for so much as belongeth to Faith, who hold the fundamental points and invincibly err in not-fundamentals[n]:' but all idolaters, heretics, and schismatics, who are only materially idolatrous, heretical, or schismatical, do "err invincibly;" for if they erred vincibly, then they were formal idolaters, heretics, or schismatics.

Thus much I lay down for certain; the rest I only pro- 397
pose;—that although they were formal heretics or schismatics, yet they are not altogether out of the pale of the Church, but only in part; "*ex eâ parte in texturæ compage detinentur, in cætera scissi sunt*"—"so far they are woven into the web, for the rest they are divided[o]," as St. Austin saith; and Bellarmine out of him acknowledgeth, that they are absolutely in the Church until they go out of it by obstinacy (which they who are only material heretics or schismatics do not); and after they are gone out of the Church by obstinacy, yet they are still in the Church "*secundum aliquid, non simpliciter*"—"not absolutely but respectively or in part[p]." And after he hath vapoured a long time to no purpose, thus

[n] De Fundament. [et Non-fundament.], c. ii. p. 62. [See Just Vindic., c. vi. vol. i. p. 198. note y.]

[o] August., De Baptism. cont. Donatist., lib. i. [c. 8. § 10, Op. tom. ix. p. 85. F.]

[p] Bellarm., De Eccles. [Milit.] lib. iii. c. 4. [Op. tom. i. p. 1233. C; referring to August., De Baptism., &c., lib. iii. c. 19. (§ 26. Op. tom. ix. p. 119. F.).]

much is acknowledged by himself;—"As long as schismatics are not . . hardened into an obstinacy" (as no schismatics are who are only materially schismatical), "there is a prudential latitude allowed by the Church, delaying her censures as long as she can possibly without wronging her government; as was *de facto* practised in England till the tenth of Queen Elizabeth[q]." This is full as much as I said,—that it may be lawful to communicate in some cases with material schismatics. DISCOURSE IV.

And whatsoever I said, was rather to make charitable construction of their material idolatry, than out of fear that they should be able to attaint us of any schism either material or formal: if he had any thing of reality to object against us, he would be ashamed to intimate our inclinations to favour Arianism[r], which he himself knoweth our souls abhor, and which he himself knoweth to be expressly condemned in the second Article of our Church. He may find my instances of the primitive Christians communicating with the Arians and Novatians in Church-offices in my Answer to the Bishop of Chalcedon's Preface, pp. 36[, 37[s]]; if he have any thing to say to them. Neither was it at the first sprouting of the Arian heresy, but after they had formed several doxologies to themselves; nor at the first beginning of the Novatian schism, but towards the conclusion of it[t]. I cited St. Cyprian for no other purpose but to shew, that his moderation in abstaining from censuring did preserve him free from schism, although he was in an error. When Optatus called the Donatists his "brethren," he did not mean his brethren in Adam, but his brethren in Christ, and wonders why his "brother Parmenian" (a Donatist) 'would rank himself with heretics,' who were "falsifiers of the Creed[u]." If this be the infallible mark of a heretic, let Pius Quartus and his party look to themselves.

I disliked a position of his, which the reader shall have in his own words,—"I cannot say my religion is true, but I [No obligation to censure

[q] [Schism Dispatched, sect. 7.] p. 585.

[r] [Ibid.]

[s] [Orig. edit. 12mo. 1656.—above pp. 46, 47. in the present edition.]

[t] [The instance of the Arians relates to the reign of Constans and Constantius; that of the Novatians to the reign of Julian.]

[u] [De Schism. Donat., lib. i. cc. 3, 10, 12.]

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every religion, much less every opinion, that is contrary to our own.]

must say the opposite is false; mine is good, but I must say the opposite is naught; mine necessary, but I must judge that which is inconsistent carries to damnation: . . therefore, who does not censure a contrary religion, holds not his own certain, that is, hath none[x]." Upon this he pursueth me with a full cry, that "the common principle of nature" —("if any thing be true, the opposite is false," or, "a thing cannot both be and not be at once")—"is denied by the Bishop[y]."

Stay, Mr. Serjeant, be not so fierce; the Bishop knoweth as well as yourself, that the disjunction of contradictories is eternal; and it seemeth by what passed lately between us, that he understandeth the rules of opposition or right contradiction better than yourself.

First, the emphasis lieth not in the word "*true*," but in the words "*say*" and "*censure*." Cannot a man believe or hold his own religion to be "true," but he must necessarily "say" or "censure" another man's, which he conceiveth to be "opposite" to it, to be "false?" Truth and falsehood are contradictory, or of eternal disjunction; but there is a mean between believing or holding mine own religion to be true, and saying or censuring another man's (which perhaps is opposite) to be false, both more prudential and more charitable; that is, silence,—to look circumspectly to myself, and leave other men to stand or fall to their own Master. St. Cyprian did believe or hold his own opinion of rebaptization to be true, yet did not censure the opposite to be false, or remove any man from his communion for it. Rabshakeh was more censorious than Hezekiah, and downright atheists than conscionable Christians.

[Isai. xxxvi. 18—20.]

Secondly, that which he calleth his "religion," is no more in truth than his opinion; and different opinions are styled different religions. In opinions it is not necessary to hold with any party, much less to censure other parties. Sometimes seeming different opinions are both true, and all the opposition is but a contention about words, and then mutual censures are vain; sometimes they are both false, and then there is more use of mutual charity than mutual censures; and evermore, whether true or false, an error against charity

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[x] [Down-Derry, pp. 318, 319.] [y] [Schism Dispatched, sect. 7. p. 587.]

is much greater than a mere speculative error in judgment. Prejudice and self-love are like a coloured glass, which makes every thing we discern through it to be of the same colour; and on the other side, rancour and animosity, like the tongue infected with choler, maketh the sweetest meats to taste bitter: in each respect censures are dangerous, and his principle pernicious, that he "who doth not censure" every "religion" which he reputeth "contrary" to his own, "hath no religion."

[How far we are bound to free ourselves from known errors in non-essentials.]

I set down some principles, whereof this is the first, "Particular Churches may fall into errors[z]." He answereth, "'Tis true, if by errors he means opinions only[a]."

No, I mean fundamental errors also: and not only "fall into" some fundamental "errors," but apostate from Christ, and turn Turks, and change their Bible into the Alcoran; whereof we have visible experience in the world.

He answers, that principle is "not so undeniable as" I "think, in case that particular Church adhere firmly to her rule of Faith, immediate tradition[b]."

Well, but we see visibly with our eyes, that many particular Churches have not adhered to any tradition, universal or particular, mediate or immediate, but have abandoned all Apostolical tradition; then to what purpose serveth his exception—"in case that Church adhere firmly to immediate tradition,"—when all the world seeth, that they have not adhered firmly to Apostolical tradition? His preservative is much like that, which an old seaman gave a fresh-water passenger, when he was to go to sea,—to put so many pebble stones into his mouth,—with assurance that he should not cast whilst he held them between his teeth. What sort of tradition ought to be reputed Apostolical, what not, I have shewed formerly[c].

My second principle was, "that all errors are not essentials or fundamentals[d]." He demands, "what is this to" his "proposition, which spake of religion, not of opinions[e]?"

[z] [Reply to S. W., sect. 7; above p. 312.]

[a] [Schism Dispatched, sect. 7. p. 587.]

[b] [Ibid.]

[c] [Above sect. i. c. 2. pp. 381, &c.]

[d] [Reply to S. W., sect. 7; above p. 312.]

[e] [Schism Dispatched, sect. 7. p. 588.]

PART I. Very much; because he maketh opinions to be essentials of his religion (as we see in the new Creed of Pius the Fourth); so do not we.

To the third principle[f], we agree thus far, that an error '*de Fide formaliter*,' or in those things which are essentials of Faith, doth "destroy the being of a Church[g]." I add, that errors in those things '*quæ sunt Fidei materialiter*,' that is, in inferior questions which happen in or about things believed, or which are not in essentials, howsoever they may be lately crowded into the catalogue of essentials, do not destroy the being of a Church.

My fourth principle was, "that every one is bound, according to the just extent of his power, to free himself from such errors as are not in essentials[h]." He answereth, "Why so, my lord? if those errors be not essential, they leave according to your own grounds sufficient means of salvation, and the true being of a Church; how prove you then you ought to break Church communion[i]?" &c.

As if no errors ought to be remedied but only those which are absolutely exclusive from all hope of salvation; as if those errors which are only impeditive of salvation, ought not to be eschewed. The least error maintained or committed against the dictate of conscience is a sin; every good Christian ought to do his uttermost endeavour to free himself from sin; it is not lawful to "do evil that good may come" of it. Yes, saith he, but not "to break[k] Church communion, which is essentially destructive to the being of a Church," or "to endanger" our "souls where there is no necessity[l]." First, they who free themselves from known errors, do not thereby "break Church communion;" but they who make their errors to be a condition of their communion. Let him hear the conclusion of the Bishop of Chalcedon;—"In case a particular Church do require profession of her heresy as a condition of communicating with her, division from her in

[Rom. iii. 8.]

[f] [Reply to S. W., sect. 7; above p. 312.]
[g] [Schism Dispatched, sect. 7. p. 588.]
[h] [Reply to S. W., sect. 7; above p. 312.]
[i] [Schism Dispatched, sect. 7. pp. 588, 589.]
[k] [i. e. "It is not lawful to break," &c.]
[l] [Schism Dispatched, sect. 7. p. 589.]

this case is no schism or sin, but virtue and necessary[m];"— where he speaketh only of material heresy. It was they who made their errors the condition of their communion, and therefore the schism and sin lieth at their doors. Secondly, schism doth not destroy the being of a Church, for the Church continueth a Church still, after the schismatics are
399 gone out of it; but it destroyeth the schismatics themselves. Lastly, to free ourselves from known errors, when they are made conditions of communion, is so far from being dangerous to salvation, that (as the Bishop confesseth truly) "it is virtue and necessary."

2. The second proof of our moderation was our "charity," —that we "left them, as one should leave his father's house whilst it is infected" with some contagious sickness, with a hearty "desire to return again so soon as it is cleansed[n]." This charitable desire of ours I proved by our daily prayers for them in our Litany, that God would bring them out of the way of error "into the way of truth[o];" and particularly by our prayer on Good Friday for them, that God would "have mercy upon all heretics," and "fetch them home to His Flock, that they may be saved among the remnant of true Israelites, and be made one Fold under one Shepherd Jesus Christ our Lord[p]." And this our charity is the more conspicuous by this, that *in Bullâ Cœnæ*, that is, the next day before, anniversarily, they do as solemnly curse and anathematize us.

[2. The second branch of our moderation; viz. our desire of reunion.]

To this he answereth, first, that they "do more" for us, and "hazard their lives daily" to convert us[q].

They hazard their lives to serve a foreign interest; not to *con*vert but to *per*vert as many as they can; not to sow good seed in the Lord's field, but to "*superseminare*," or sow tares above the wheat. We should thank them more to stay at home, than to "compass sea and land" to gain "proselytes," as the Pharisees did, and made them "twofold more the children of hell than themselves." He saith, that this "is the solemn custom of" their "Church every

[Matt. xiii. 24, 25.]

[Matt. xxiii. 15.]

[m] Brief Survey [of the Just Vindic. &c.], c. ii. sect. 4. [pp. 23, 24.]

[n] [Reply to S. W., sect. 7; above p. 313.]

[o] [Litany.]

[p] [Third Collect for Good Friday.]

[q] [Schism Dispatched, sect. 7. p. 590.]

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Good Friday[r]." Let it be so; but they have not the same incentive and provocation which we have; we do not curse and anathematize them the day before, as they do us. This advantage we have over them, that we render blessing for cursing, which they do not.

[Matt. v. 44.]

[We pray for the Romanists as *materially* heretical.]

He addeth, that they cannot be understood under the notion of "heretics;" first, because we "acknowledge" theirs to be "a true Church," and therefore "not heretical;" secondly, they are "of Christ's Flock already," and therefore not "reducible to His Flock[s]."

To the first I answer, that a particular Church which is only materially heretical, not formally, doth still continue a true Church of Christ. The Bishop of Chalcedon understood these things much better than himself: this is confessed by him in the place formerly alleged,—"A particular Church may be really heretical or schismatical, and yet morally a true particular Church, because she is invincibly ignorant of her heresy or schism[t]." We agree with him wholly in the sense: only we differ in the expression. What he calleth "*really* heretical," we style *materially* heretical; and what he called "*morally* a true Church," we use to style *metaphysically* a true Church, that is, by truth of entity, not of morality. Secondly, I answer, that the Flock of Christ is taken variously, sometimes more largely, sometimes more strictly; more largely, for all those that are "in *domo*"—by outward profession; more strictly, for those who are "ex *domo*"—so "*in*" the Church, that they are also "*of*" the Church, by inward sanctification[u]. And our Collect hath reference to this latter acception of this word 'Flock;'—"So fetch them home, Blessed Lord, to Thy Flock, that they may be saved."

He taketh it ill, that our Church hath changed these words in the Missal, "Recal them to our Holy Mother the Catholic and Apostolic Church," into "this dwindling, puling, puritanical expression, of 'one Flock, and one Fold, under one Shepherd[x]:'"—whether it be because he hath a

[r] [Ibid.]
[s] [Ibid., pp. 590, 591.]
[t] Brief Survey [&c.], c. ii. sect. 4. [pp. 23, 24.]
[u] [See August., De Baptism. cont. Donatist., lib. vii. cc. 51, 52. § 99, 100; Op. tom. ix. pp. 200. G, 201. A, E; commenting on 2 Tim. ii. 20. See also other passages quoted in Jer. Taylor's Dissuas. from Popery, Pt. ii. bk. 1. sect. 1, Works vol. x. pp. 335, 336.]
[x] [Schism Dispatched, sect. 7. p. 592.]

pick against Scripture phrases, as sounding too preacher-like; or rather, because our Church did presume to name the right Shepherd, Jesus Christ, and not leave it to their glosses to entitle the Pope to that office. But certainly, the authority of the Catholic Church is not formidable at all to any genuine sons of the Church of England.

[No duty to excommunicate material heretics.]

I do readily acknowledge, that it is the duty of each orthodox Church to excommunicate formal heretics [y], and them who swerve from the Apostles' Creed as the rule of Faith; but this doth not oblige the Church of England to excommunicate all *material* heretics; who follow the dictate of their conscience, in inferior questions, which are not essentials of Faith, and do hold the truth implicitly in the preparation of their minds. Neither do I ever know, that the Church of England did ever excommunicate Papists in gross '*qua tales*,' but only some particular Papists, who were either convicted of other crimes, or found guilty of contumacy. It were to be wished, that the Court of Rome would use the same moderation, and remember how Irenæus reproved Pope Victor,—that 'he had not done rightly, to cut off from the unity of the Mystical Body of Christ so many and so great Churches of God [z].' This is that great nonsense, which this egregious prevaricator hath found in our Collect, that the English Church cannot reconcile her "doctrine and her practice" together [a]. Let him not trouble his head with that, but rather how to reconcile himself with his own Church. He will have prayers to be only "words," no works [b]; but his Church maketh prayer, fasting, and alms, to be three satisfactory works [c].

[3. The third branch of our moderation; viz. that we do not challenge]

3. My "third proof of our moderation" was, "that we do not challenge a new Church, a new religion, or new holy orders;" but derive our Church, our religion, our holy orders, from Christ and His Apostles by an uninterrupted succession: "we obtrude no innovations upon others [d]."

[y] [Ibid., p. 591.]

[z] Euseb., [Hist. Eccl.,] lib. v. c. 24. [inaccurately quoted in the *words*.]

[a] [Schism Dispatched, sect. 7. p. 591.]

[b] [Ibid.,] p. 590.

[c] [See Bellarm., De Bonis Oper. in Particul., lib. ii. cc. 1, 11; Op. tom. iii. pp. 1382. A, 1431. B. See also lib. i. cc. 1, 9; ibid. pp. 1313. A, 1347. C, D.]

[d] [Reply to S. W., sect. 7; above p. 313.]

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either a new Church or a new religion or new holy orders.]

All this is quite omitted by this great pretender to sincerity; and yet he knoweth, or may know, that there have been pretended reformers, who have committed all these excesses. But he catcheth hold of two words of my defence, that we have "added nothing" (I wish they could say as much), nor "taken away" any thing but "errors [e]."

[Negatives are no articles of Faith.]

To the former part he excepteth, that "he, who positively denies, ever adds the contrary to what he takes away; he that makes it an article there is no Purgatory, no Mass, no prayers to Saints, hath as many articles as he who holds the contrary [f]."

I have taken away this answer before; and demonstrated, that no negative can be a fundamental article, or necessary medium of salvation, because it hath no entity; that "there are a hundred" greater disputes and "contradictions among themselves, in theological questions," or in these things '*quæ sunt Fidei materialiter*,' than "those three" are between us and them; "yet they dare not say, that either the affirmatives or negatives are articles of Faith [g]." The Christian Church for fifteen hundred years knew never more than twelve old articles of Faith, until Pius the Fourth added twelve new articles. And now this young Pythagoras will make us more than twelve hundred articles, affirmative articles and negative articles, fundamental articles and superstructive articles. Every theological truth shall either be a fundamental article, or an "indifferent and unconcerning opinion [h]."

He saith, our "twenty-second Article defineth the negative to Purgatory;" yet I, like an "ill-tutored child, tell" my "old crazy Mother the Church of England, that she lies [i]."

I hope by this time the reader knoweth sufficiently, that his pen is no slander. If the Church of England did ever ill, it was when she begot him. Neither do I "tell the Church of England she lies," nor dissent in the least from the definition of the Church of England; neither doth the Church of England define any of these questions as neces-

[e] [Ibid.; as quoted in Schism Dispatched, sect. 7. p. 592.]
[f] [Schism Dispatched, ibid. p. 593.]
[g] [Reply to S. W., sect. 7; above p. 314.]
[h] [Schism Dispatched, sect. 7. p. 594.]
[i] [Ibid.,] p. 593.

sary to be believed, either '*necessitate medii*,' or '*necessitate præcepti*,' which is much less, but only bindeth her sons for peace' sake not to oppose them [k]. But he himself can hardly be excused from lying, where he telleth us, "the good simple ministers" did "swear to maintain them [l]." Perhaps he was one of the "simple ministers;" did he ever "swear to maintain them?" did he ever know any man who did "swear to maintain them?" For him to urge such falsehoods, after they have been so often detected, is double effrontery; "*periisse puto cui pudor periit*." He inferreth further,—"By the Bishop's logic," these propositions, "that there are not two Gods—that the devils shall not be saved—nor the Saints in Heaven damned—that there is no salvation but through Christ, must cease to be articles of Faith, and become indifferent unconcerning opinions, because they are negative [m]." I wish no more disparagement to any man, than to be the author of such an absurd assertion; 'either they are fundamental articles, or unconcerning opinions.' How should they cease to be articles, which never were articles? That there is one God, and one Saviour Jesus Christ, that the life of the Saints is everlasting, and the fire of the devils everlasting, are articles of Faith; but every thing which may be deduced from these, is not a distinct article of Faith.

[Of our removal of errors.]

To the latter part of my plea, that we "took nothing away but weeds [n]," he pleadeth, first, that it "is but a self-supposition [o]," or a begging of the question.

By his leave, I have demonstrated, that all the branches of Papal power which are in controversy between them and us are all gross usurpations and "weeds," which did never sprout up in the Church of England until after eleven
401 hundred years. No man can say without shame, that such were planted by Christ or His Apostles.

Secondly, he excepteth, that 'to take away errors, is a requisite act of justice, not a proof of moderation [p]:'

On the contrary, therefore it *is* "a proof of moderation,"

[k] [See above sect. i. c. 11. p. 476.]

[l] [Schism Dispatched, sect. 7. p. 593.]

[m] [Ibid., p. 594.]

[n] [Reply to S. W., sect. 7; above p. 313.]

[o] [Schism Dispatched, sect. 7. p. 592.]

[p] [Ibid., p. 593. "An act of necessary charity."]

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because it is "a requisite act of justice;" all virtue consisteth in the mean, or in a moderation. It is not his particular, pretended, suppositious tradition, which doth secure us that Christ was, and that the Holy Scripture is, the genuine Word of God; but the universal and perpetual tradition of the Catholic Church of Christ.

[4. The fourth branch of our moderation; viz. that we are ready to believe and practise what the present Catholic Church believes and practises.]

4. My "last proof of our moderation" was, that we are "ready in the preparation of our minds to believe and practise whatsoever the Catholic Church of this present age doth believe and practise[q]." And this is an infallible preservative to keep a man within the pale of the Church: whosoever doth this cordially, cannot possibly be a formal heretic or schismatic, because he is invincibly ignorant of his heresy or schism; "no man can have just cause to separate his communion *a communione orbis terrarum*"—"from the communion of the Christian world[r]." If he would have confuted this, his way had been to have proposed something which "the Christian world united" doth believe or practise, which we are not ready to believe or practise. This he doth not so much as attempt to do, but barketh and raileth without rhyme or reason.

First, he telleth us, we "say that there is no Universal Church[s]."

Choose, reader, whether thou wilt believe him or our Liturgy; wherein we pray daily, that God will "inspire the Universal Church with the spirit of truth, unity, and concord[t]."

He telleth us, that they "do not doubt but" we "have renounced" our "Creed[u]."

Choose, reader, whether thou wilt believe him or our Liturgy, wherein we make profession daily of the Apostolic, Nicene, and Athanasian Creeds.

He telleth us, that we have "renounced" our "reason[x]."

If he had said only that we had lost our reason, it is more

[q] [Reply to S. W., sect. 7; above p. 314.]

[r] August., Epist. 48. [secund. vett. editt.—93, Ad Vincentium, c. 8. § 25, Op. tom. ii. p. 241. D. ed. Bened.]

[s] [Schism Dispatched, sect. 7. p. 594; from Down-Derry, p. 320.]

[t] [Prayer for the Church Militant. See also the Litany, and the Prayer for all Conditions of Men.]

[u] [Schism Dispatched, sect. 7. p. 594.]

[x] [Ibid., p. 595; from Reply to S. W., sect. 7. above p. 214.]

than any man in his right wits would say; but to say we have "renounced" our "reason," is incredible.

The reason of all this is, because we "give no certain rule to know a true Church from an heretical[y]."

[An heretical Church may be a true Church.]

He supposeth, that no heretical Church is a true Church. The Bishop of Chalcedon may instruct him better,—that "an heretical Church is a true Church whilst it erreth invincibly[z]."

He saith that he "hath lived in circumstances to be as well acquainted with" our "doctrine as most men are:" yet he professeth, that if his "life were at stake," he "could not determine absolutely" upon our "constant grounds, whether Presbyterians, Anabaptists, or Quakers are to be excluded from the Universal Church or no[a]."

The nearer relation that he hath had to the Church of England, the more shame for him to scoff so often at the supposed nakedness of his Mother; and to revile her so virulently, without either ground or provocation, which gave him his Christian being. He hath my charitable judgment of Presbyterians in my Reply to the Bishop of Chalcedon's Epistle[b]. And for the other sects, it were much better to have a little patience and suffer them to die of themselves, than trouble the world so much about them; they were produced in a storm, and will die in a calm. He may be sure they will never molest him at any Council, either general or occidental. It is honour enough for them to be named in earnest by a polemic writer.

But what manner of disputing is this, to bring questions instead of arguments? As, what new form of discipline the Protestants have introduced? what are the certain conditions of a right œcumenical Council? what is the Universal Church, and of what particular Churches it doth consist? what are the notes to know a true Church from an heretical[c]? We have introduced no new discipline, but retained the old. Our conditions of a right œcumenical Council are the same they were, not altogether so rigorously

[y] [Ibid.]
[z] [Surv., c. ii. sect. 4. p. 23.]
[a] [Schism Dispatched, sect. 7. p. 596.]
[b] [Replic., &c., c. i. sect. 2; above pp. 69—71.]
[c] [Schism Dispatched, sect. 7. pp. 595—600.]

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exacted in case of invincible necessity. We are readier to give an account of ourselves, than to censure others; [and thereby] either to intrude ourselves into the office of God, to distinguish perfectly formal schismatics from material, or into the office of the Catholic Church, to determine precisely who ought to be excluded from her communion, who not. We exclude all those whom undoubted general Councils have excluded; the rest we leave to God, and to the determination of a free Council as general as may be. But because I would not leave him unsatisfied in any thing, I am contented to admit their own definition of the Universal Church, that is, "the company of Christians knit together by the profession of the same Faith, and the communion of the same Sacraments, under the government of lawful pastors[d]:" taking 402
away that purple patch, which they have added at the latter end of it, for their own interest,—"and especially of the Roman Bishop, as the only Vicar of Christ upon earth[e]." And if they had stinted at a 'primacy of order,' or "beginning of unity," I should not have excepted against it.

[Our grounds for distinguishing true believers from false.]

He objecteth, that "Protestants have no grounds" to "distinguish true believers from false[f]."

That were strange indeed, whilst we have the same Scriptures, interpreted by the same perpetual tradition of the Universal Church, according to the same analogy of Faith (wherein we give this honour to the Fathers, not to be authors but witnesses of tradition). Whatsoever "grounds" they have to "distinguish true believers from false," we have the same.

But because I made the Apostles' Creed to be the rule of Faith, he objecteth, first, "Then the Puritans, who deny the article of Christ's Descent into Hell, must be excluded quite from the Universal Church[g]."

If they be so, what is that to the Church of England? If they be turned out, yet let them be heard first. They plead,

[d] [Bellarm., De Eccl. Milit., lib. iii. c. 2; Op. tom. i. p. 1228. C.]

[e] [Id., ibid.]

[f] [Schism Dispatched, sect. 7. p. 596.]

[g] [Ibid. p. 597. For the Puritan controversy on this subject, see Bp. Bilson's "Survey of Christ's Sufferings for Man's Redemption, and of His Descent to Hades or Hell," Lond. 1604, written against the Puritans; and others, quoted by Heylin, On the Creed, Art. Desc. into Hell, c. ix. One form of the Puritan doctrine originated with Calvin.]

that the manner of Christ's Descent is not particularly determined. But let it be determined or not, they ought to be turned out of the Universal Church by a general Council; and it may be they will submit to the authority of a general Council; then there will need no turning out.

Secondly, he objecteth, "So a man may reject all government of the Church, the Procession of the Holy Ghost, all the Sacraments, all the Scriptures," and yet continue "a member of God's Church[h]."

Why so? When I said the Creed was a sufficient rule of Faith, or '*credendorum*'—'of things to be believed,' I neither said nor meant, that it was '*regula agendorum*'—'a rule of such things as are to be practised;' such as the acts of discipline and of the Sacraments are. The Creed contained enough for salvation touching the Procession of the Holy Ghost, before the words "*Filioque*" were added to it; and there is great cause to doubt, that the contentions of the Eastern and Western Churches about this subject are but a mere logomachy or strife about words. The Scriptures and the Creed are not two different rules of Faith, but one and the same rule, dilated in the Scripture, contracted in the Creed; the end of the Creed being to contain all fundamental points of Faith, or a summary of all things necessary to salvation, to be believed '*necessitate medii*:" but in what particular writings all these fundamental points are contained, is no particular fundamental article itself, nor contained in the Creed, nor could be contained in it; since it is apparent out of Scripture itself, that the Creed was made and deposited with the Church as a rule of Faith, before the canon of the New Testament was fully perfected. Arians and Socinians may perhaps wrest the words of the Apostles' Creed to their heretical sense; but not as it is explained by the first four general Councils, which all orthodox Christians do admit. He saith, they and we differ about the sense of two articles of the Creed, that is, "the Descent of Christ into Hell," and "the Catholic Church[i];" but setteth not down wherein we differ. He hath reason to understand our differences, having been of both Churches; but I for my

[h] [Schism Dispatched, ibid.]

[i] [Ibid., pp. 597, 598.]

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part do rather believe, that he understandeth neither part right. Howsoever it be, the different sense of an article doth make a heretic, after it is defined by the Universal Church, not before.

[We do not destroy the subordination of ecclesiastical government.]

He saith, he "hath already shewed in the foregoing section, that the Protestant grounds have left no order and subordination of universal government in God's Church[k]."

But he hath neither shewn it "in the foregoing section," nor any where else, nor is able to shew it. We have the same subordination that the primitive Church [had]; of inferior clergymen to Bishops, of Bishops to Archbishops, of Archbishops to Patriarchs, and of Patriarchs to a general Council, or as general as may be. Let him shew any one link of this subordination that we have weakened.

I said, 'we acknowledge not a virtual Church, or one man as infallible as the universal Church[l].' He rejoineth, "nor they neither[m]."

[Of the Pope's infallibility.]

I wish it were so generally: but the Pope and Court of Rome, who have the power of the Keys in their hands (whom only we accuse in this behalf), do maintain the contrary;—that "a general Council without the Pope may err;" that "the Pope with any Council, general or particular, cannot err," that "the infallibility of the Church is radicated in the Pope," by virtue of Christ's prayer for St. Peter that his "faith should not fail," not "in a company of councillors, nor in a Council of Bishops;" that "the Pope cannot define temerariously" in matters of Faith or good manners, which concern the whole Church[n]. What a general Council is, and what the Universal Church is, and who ought to be excluded from the one or the other as heretics, I have shewed already; namely, all those, and only those, who do either renounce their Creed, the badge of their Christianity, the same Faith whereinto they were baptized; or who, differing about the sense of any article thereof, have already been excluded as heretics by the sentence of an undoubted general Council.

[Lu. xxii. 32.]

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Howsoever he slighteth the controversies which they have

[k] [Ibid., p. 598.]

[l] [Reply to S. W., sect. 7; above p. 315.]

[m] [Schism Dispatched, sect. 7. p. 599.]

[n] [Bellarm., De Concil. Auctor., lib. ii. cc. 2, 5, 11; Op. tom. i. pp. 1160, 1167, 1197: et De Roman. Pontif., lib. iv. cc. 2, 3; ibid. pp. 952. D, 953. A. B.]

among themselves concerning the last resolution of Faith, as if they were of no moment; yet they are not of so little concernment to be so slighted. What availeth it to say, they have the Church for an infallible judge, whilst they are not certain or do not know what the Church is, or who this infallible judge is? May not a man say unto them, as Elijah said unto the Israelites, why "halt ye between two opinions?" [1 Kings xviii. 21.] or rather, why halt ye betwixt five or six opinions? If the Pope alone be infallible judge, 'follow him;' if a general Council alone be this infallible judge, 'follow it;' if the 'essential' Church be the infallible judge, adhere to it; if the Pope and a general Council, or the Pope and a particular Council, or the Pope and his Conclave of Cardinals, be this infallible judge, 'follow them[o].'

He telleth us, that their Universal Church "is as visible as the sun at noon-day, to wit, those countries in communion with the See of Rome[p]." [The Roman obedience not the Universal Church.]

Without doubt they are "visible" enough, but it is as visible that they are not the Universal Church. What shall become of all the rest of the Christian world? They are the elder Christians, and more numerous, four for one, both Patriarchs and people. It is against reason, that one single Protopatriarch should cast out four out of the Church, and be both party and judge in his own cause. But here it ends not. If the Pope will have his visible Church to be one homogeneous body, he must cast out a great many more yet; and it is to be suspected, this very "Dispatcher" himself among the rest, for all his shows. They flatter the Pope with general terms of "Head," and "Chief Governor," and "First Mover," which signify nothing; but, in reality, they "would have the Pope to be no more than the Duke of Venice is in the Venetian commonwealth," that is, "less than the Senate but greater than any single senator;" or that which "a General Master is in a Religious Order," "above all Priors and Provincials but subject to a Congregation General[q]." Wherein do these men differ from us?

[o] [See Protest. Ordin. Defended (p. 1020. fol. edit.), Disc. vii. Pt. iv.]

[p] [Schism Dispatched, sect. 7. p. 600.]

[q] Bellarm., De Concil. [Auctor.], lib. ii. c. 14. [Op. tom. i. p. 1207. C, D; speaking of Gerson, Cardinal Cameracensis, &c.]

SECTION VIII.

THAT ALL PRINCES AND REPUBLICS OF THE ROMAN COMMUNION DO IN EFFECT THE SAME THING WHICH HENRY THE EIGHTH DID, WHEN THEY HAVE OCCASION; OR AT LEAST DO PLEAD FOR IT.

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[The ground laid down in this section unanswered either by R. C. or by Mr. Serjeant.]

THIS was the title and this was [the[r]] scope of my fifth ground; which I made good by the laws and decrees of the emperors, with their Councils, and synods, and Electoral College; by the laws of France, the liberties of the Gallican Church, the acts of their Parliaments, and declarations of their Universities; by the practice of the king of Spain, his Councils, his Parliaments, in Sicily, in Castile, in Brabant and Flanders; by "the Sighs of Portugal," and their "Bleatings," and the judgment of the University of Lisbon; by the laws and proclamations of the republic of Venice[s]. This I made good in every particular branch of Papal power which we have cast out of England,—the patronage of the English Church, the right to call and confirm synods, to confer Bishoprics, to receive tenths and first-fruits and oaths of fidelity, and concerning the supreme legislative, dispensative, and judiciary power in all things pertaining to the external regiment of the Church[t]. To all this, neither the Bishop of Chalcedon nor Mr. Serjeant, either in his former answer or in this Rejoinder, although provoked, have offered one word of answer.

This plea doth utterly destroy their pretence of "Divine right" and of "uninterrupted tradition" for all these branches 404
of Papal power[u]. Can any man be so stupid as to imagine that to be of "Divine right," which was first tacked into the Church with so much opposition after eleven hundred years? or that to be grounded upon "perpetual and universal tradition," which hath been opposed in all ages since it was devised, in all places, by all sorts of persons; kings and their Parliaments and Councils, synods and Universities, divines and lawyers? What shameful tergiversation is this, which

[r] ["My" in all the editions.]
[s] [Just Vindic., c. vii. vol. i. pp. 200—246.]
[t] [Ibid., c. iv. vol. i. pp. 131—151.]
[u] [Schism Dispatched, sect. 1. p. 503, &c. &c.]

no ingenuous adversary could be guilty of but out of invincible necessity! Thus he served me where I produced all our old English laws. Thus he served me where I produced their own authors to testify the intolerable extortions and usurpations of the Roman Court. Thus he serveth me here. And in place of so many laws and proclamations and placaerts and synodal acts and judgments of Universities, he shuffleth in so many of his fiddle-faddle contradictions, which are not all worth a deaf nut. If it were not that I have proceeded so far already, and "*toto devorato bove, turpe est in caudâ deficere*[v]," I would not vouchsafe to answer them but with contempt.

[Mr. Serjeant's feigned "contradictions."]

Thus he begins.—"Nine or ten self-contradictions in one section[x]." He speaketh modestly; if there be one, there are nine hundred. This word "in effect," saith he, "deserves a comment[y]." It hath a comment, wherein his feigned "contradictions" were satisfied before they were hatched by him; the more uningenuous person he, to take no notice of it. He may find it in my Reply to the Bishop of Chalcedon, chap. vii. sect. 2. pp. [296—298[z].] Other princes of the Roman communion have made laws as well as we, to renounce and abrogate all those branches of Papal authority which we cast out, that is, only Papal usurpations; but neither they nor we ever "defined against essential right[a]." We deny not to the Pope a superiority of order above the Archbishop of Canterbury, but we deny him a superiority of power in the exterior court; that is, we deny him the supreme judiciary power: so did they. "King Henry the Eighth abolished the jurisdiction of the Bishop of Rome within his dominions," but "the emperors did not so[b]."—If they did not so, yet if they pleaded for it, or justified it, it is as much as I said; and if they did it by "parcels" (as I have shewed they did), though they did it not "in gross[c]," it is the "same thing in effect." Our ancestors "threatened the Pope to 'make a wall' of separation between him and them[d];"—not by making

[v] [See Erasm., Adag., Chil. iii. cent. iii. Prov. 68.]

[x] [Schism Dispatched, sect. 8. title.]

[y] [Ibid., p. 601.]

[z] [Orig. edit. of 1656.—above pp. 223, 224. of the present edition.]

[a] [Schism Dispatched, sect. 8. p. 601.]

[b] [Just Vindic., c. vii. vol. i. p. 217; quoted in Schism Dispatched, sect. 8. pp. 601, 602.]

[c] [Replic., &c., c. vii. sect. 3; above p. 224.]

[d] [Just Vindic., c. vi. vol. i. p. 194.

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a new law, for it was the common law of England, but by declaring the law, by executing the law; and though they had threatened him to make one general law against all his usurpations in gross, yet formerly having made single laws against the same in particular, it was but the "same in effect." This sucking contradiction hath been answered sufficiently in the last Section[e]. He saith, "our controversy is not about the extent of Papal power" but "about the right itself[f]." The just contrary is true; our controversy is only about the extent of Papal power, or about those particular branches of Papal power which we have cast out. He loves to hover in generals, but we shall bring him willingly, or against his will, to descend to particulars.

[He grants all our "particular instances."]

He taketh notice here of my "complaining" that they "answer not particulars;" and I "assure the reader, that if their cause would have borne it, they would have answered them[g]." Observe but how tame he is upon this provocation, that useth to be so fierce without any provocation. All the answer it doth extort from him is, "Was ever man so ignorant of the common laws of disputing? needs any more answer to be given to particulars which one yields to, than to say he grants them[h]?" If he be overmuch acquainted with the "laws of disputing," "*reddat mihi minam Diogenes*[i]" —'let him who taught me logic, give me my money again.' But it is well we have his '*concedo omnia*,' &c.—"We grant all his particular instances of these contests between kings and Popes[k]:" yet not so very well neither, for what he granteth with one hand, he taketh away with the other,—"not entering into that dispute, how far they were done justly, how far unjustly, which is little to our purpose, since the authority itself is acknowledged on both sides[l]." It is little to their purpose indeed, but it is much to ours. Is the Papal power acknowledged, where the Pope's sovereign power, his legislative power, his judiciary power, his dispensative power, are all opposed? Much good may his "dry Papacy[m]"

(from Matt. Paris., in an. 1246. p. 701); quoted in Schism Dispatched, sect. 8. p. 602.]

[e] [The passage referred to is in sect. vi; above pp. 577—579.]

[f] [Schism Dispatched, sect. 8. p. 602.]

[g] [Ibid.]

[h] [Ibid., pp. 602, 603.]

[i] [Cic., Lucull., xxx.]

[k] [Schism Dispatched, sect. 8. p. 603.]

[l] [Ibid.]

[m] [Ibid., sect. i. p. 500.]

(as he pleaseth to call it sometimes) do him. In every one of these instances, besides mere matter of fact, there is an inference to matter of right. The "common laws of disputing" require, that he should have answered that, as well as granted the other. If his "Dispatches" be such as this, he may "dispatch" more answers in a day, than St. Austin could have made oppositions in a year.

When I said, "What is the ground of his exception? nothing but a contradiction[n]," he urgeth, that I "make account a contradiction is a matter of nothing[o]." No, but I meant, that his vain objecting of imaginary contradictions is "a matter of nothing." Twenty of them will not amount to one flea-biting. And I shewed him, that this ridiculous contradiction which he bringeth here is such an one. The pretended contradiction is this, that their "doctrine concerning the Pope is injurious to princes and prejudices their crowns; and yet that" they "hold and do the same in effect against the Pope, that Protestants do[p]." A doughty contradiction; both parts are as true as can be '*referendo singula singulis*,' referring what I said to the right subject, as I applied it. The doctrine of the Pope and Court of Rome is injurious to princes (of whom I speak expressly, and no others); and yet sovereign princes and their Councils have held and done the same things against the Pope, "in effect," that Protestants do. Just such another contradiction as this: the Guelphs are for the Pope against the emperor, yet the Ghibilines are for the emperor against the Pope, and both factions Roman Catholics. Thus he changeth subjects and predicates, and times, and respects, and all rules, to make a "contradiction." But his defence is more ridiculous than his pretended contradiction,—that "the substance of the Pope's authority is the point which belongs" to me "to impugn[q]." So the contradiction lieth not in what I did say, but what I should have said; or rather, what he would have had me to have said. When his "substance of Papal authority" hath lost all its "extent" (which he gives every man leave to question),

[n] [Reply to S. W., sect. 8; above p. 316.]

[o] [Schism Dispatched, sect. 8. p. 603.]

[p] [Down-Derry, p. 320. — Schism Dispatched, sect. 8. p. 603.]

[q] [Schism Dispatched, sect. 8. p. 604.]

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it is an 'indivisible' indeed. His second exception is just such another. I pleaded, that I speak expressly of "the Pope and Court of Rome[r]:" he rejoineth, "No, my lord, but I would not let you change the subject of the whole question[s]." If he will change my sense, he must take the contradiction upon himself. These are the "common rules of disputing" with this great dictator in logic.

[The Roman religion and ours the same.]

I chanced to say, that "our religion and theirs is the same[t]." He bids me "answer seriously," whether "the Roman religion" and ours do not differ "in this very point of the Pope's supremacy[u]?"

If the Roman religion be the Christian religion, then our religion is the same. Every difference in this point or another point doth not make a diverse religion. A garden weeded, and a garden unweeded, is the same garden. We esteem it an honour to be Christians, and no dishonour to us that we are no Papists; what they think of us, concerneth themselves, not us. We do gladly admit the old Apostolical rule of religion, but we like not their new rules or new Creeds. And we are ready, for peace' sake, to attribute as much to the Pope as many of their own doctors do, that is, a primacy of order, or "beginning of unity;" and the not accepting of this renders them guilty of schism, and breaking the unity of God's Church.

[We impugn the Pope and Court of Rome.]

He demandeth, "if these rigorous assertions be not the general tenet" of their "Church, whom do" we "impugn[x]?"

We impugn the Pope and Court of Rome, whose "tenets" these "rigorous assertions" are, upon which they grounded their manifold usurpations; which we have cast out deservedly, and for so doing they have excommunicated us, and so broken the unity of the Church. The substance of the Pope's just authority is no more than a 'primacy of order' or "beginning of unity" at the most, this we have not cast out. And this act we can justify by better "logic[y]," than he can oppose it. We know the Pope hath sometimes remitted of

[r] [Reply to S. W., sect. 8; above p. 316.]
[s] [Schism Dispatched, sect. 8. p. 604.]
[t] [Reply to S. W., sect. 8; above p. 317.]
[u] [Schism Dispatched, sect. 8. p. 605.]
[x] [Ibid., p. 606.]
[y] [Ibid.]

his rigour, when he was not able to make good his sentence by force; but it will trouble him to find one instance of a Pope, who hath ever retracted his unjust censures out of pure conscience, or acknowledged his unjust usurpations. Whether he did or no, we do not much regard, being done with an erring Key. Many millions of Christians are saved, which are out of his "Catholic world[a]."

[Who resisted the Pope's usurpations.]

Next follow two heavy contradictions, able to make Milo's back crack with their weight. Take them in his own words, for they are even absurd enough without any aggravation. The Bishop said, "that all Catholic kings, abetted by their doctors and casuists, did resist the Pope" in his usurpations;
106 but here, to shew how some doctors at some times escaped the Pope's clutches, he saith, that "the Pope and his Court have something else to do than to enquire after the tenets of private doctors[a]." Why may not this grow to be a contradiction in time[b]? It is no conciliation already. The other contradiction is yet more silly. I said, "perhaps" some of those doctors "lived about the time of the Councils of Constance and Basle[c];" that is one enuntiation, what is the other? Nay, there is none at all of mine. Yet he crieth "score up another self-contradiction[d]." How? A contradiction of one proposition? A contradiction with a "perhaps?" Such a contradiction was never heard of in our days, nor in the days of our forefathers. But though it be not a "self-contradiction," yet perhaps it may contradict the truth? No, truly, it contradicts the truth no more than itself. I will take away the "perhaps" to give him line enough. 'Some of the opposers lived in this last age;' yet the Bishop saith 'some of them lived in the time of the Councils of Constance [and Basle].' This is the first time that ever a contradiction was pretended betwixt two particular propositions such as these.

He saith, that "none can tell" what I "mean by their 'living out of the Pope's reach[e]:'"—I told him myself, their being protected by sovereign power. "My lord the emperor,

[a] [Ibid.]

[a] [Ibid., p. 607; from Reply to S. W., sect. 8, above p. 317.]

[b] [See Schism Dispatched, sect. 3. p. 530.]

[c] [Reply to S. W., ibid.]

[d] [Schism Dispatched, sect. 8. p. 607.]

[e] [Ibid.; from Reply to S. W., sect. 8. above p. 317.]

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defend me with the sword, and I will defend thee with the pen[f]."

[The Sorbonne Doctors.]

He saith, "what the Sorbonne doctors thought of the Court of Rome, concerns not" me "nor the question; . . they ever valued the Pope's supremacy as a point of Faith," for the not doing of which we are cast "out of the Church[g]."

He will find, that it doth both concern me and the question. If the Court of Rome had not obtruded another manner of supremacy than the Sorbonne doctors allowed, this schism had never been. For all the Pope's supremacy, they radicated ecclesiastical power in the Church; they subjected the Pope to the Church; they made him no sovereign prince but a duke of Venice, less than the Senate, that is, less than a general Council[h]. All that they allowed him was a "beginning of unity:" where have we disallowed that?

He accused our "bloody laws and bloodier execution[i]." I referred him to my Reply to the Bishop of Chalcedon[k], where this question is clearly stated and fully discussed; and I expected an account from him of that he had to say against it solidly and fully; but I see,

> "Omnibus hoc vitium est cantoribus, inter amicos
> "Ut nunquam inducant animum cantare rogati,
> "Injussi nunquam desistant[l]. . . . . ."

He delighteth altogether in generals; and I love to have controversies circumstantiated. '*Qui pauca considerat facile pronunciat.*' I bring more than "pretended fears and jealousies[m]" on our part, to justify our laws; even gross treason by the law of nations on their parts.

[The Papacy, not the Roman religion, a source of sedition.]

He saith, that in my "forty-eighth page" I "clear" their "religion from destroying subjection to princes[n]."

All I say is this;—"their religion is the same with ours, that is, Christian; and needeth not to be cleared from being

[f] [The words of William of Occham to the Emperor Lewis of Bavaria.]
[g] [Schism Dispatched, sect. 8. p. 608.]
[h] [See their opinions summed up by Bellarm., De Concil. Auctor., lib. ii. c. 14, Op. tom. i. p. 1207. C, D.]
[i] [Down-Derry, p. 321.]
[k] [Replic., &c., c. iii. sect. 4; above pp. 109, &c.]
[l] [Horat., Sat., I. iii. 1—3.]
[m] [Schism Dispatched, sect. 8. p. 609.]
[n] [Ibid., p. 610.]

a source of sedition, or an incentive to rebellion[o]." Here is something to clear Christian religion, but not Popery '*qua talis*'—as it is obtruded. Well, but he saith he will supply that defect;—"I subsume, But the supremacy of the Pope is to us a point of Faith, . . therefore the holding of it is according to him no ways injurious to princes[p]." Observe, reader, it is he "subsumes," not I; so it is he that clears them '*qua tales*'—as they are Papists, not I. And how doth he clear them? By a syllogism as memorable as his contradictions. His assumption is;—"But the supremacy of the Pope is to us" (Roman Catholics) "a point of Faith:"—"therefore the holding of it is according to him" (the Bishop of Derry) "no ways injurious to princes." Stay, Sir, here is a syllogism with a witness, which hath more in the conclusion than there was in the premisses, namely, "according to him." Who taught you this logic, to assume for yourself and conclude for me?

Here he presents the reader with two new "contradictions" of mine, as silly and senseless as the rest. They are these, that I say "the instances cited by" me "were before" the disloyal opinions of the Romanists, and yet some of my instances were "in Cardinal Richelieu's days," and since "very lately;" adding, that I "contradict" myself "yet once more, affirming" that I "hope those seditious doctrines at this day are almost buried[q]."

407 What satisfaction doth this man owe to his reader, to conceal from him all the precedents, laws, sentences, of emperors, kings, commonwealths, Universities, and to present him nothing but such fopperies as these? I will not vouchsafe to spend any time about them, but only give the reader an Ariadne's clue, to guide him out of this imaginary maze. I have shewed him what these seditious opinions were, where they were hatched, and when, namely, in the beginning of Queen Elizabeth's reign[r]. And though some few of my instances were after that time, yet the main body of them was much more ancient; as in the empire, from Charles the

[o] [Reply to S. W., sect. 8; above p. 318—p. 48. orig. edit. of 1656.]

[p] [Schism Dispatched, sect. 8. p. 610.]

[q] [Ibid., pp. 610, 611; from Reply to S. W., sect. 8, above p. 318; and Just Vindic., c. vii. vol. 1. pp. 223, 224.]

[r] Reply to the Bishop of Chalced., c. iii. sect. 4. [above pp. 112, &c.]

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Great to Charles the Fifth, and in France, from Carolus Calvus downward. So I might truly say that "the instances cited by me were" long "before those disloyal opinions were hatched;" and yet they are not so lately hatched, but I "hope they are almost buried" at this day. A man would have thought that I deserved thanks for my charity, not to be traduced. But it is all one: let the reader judge who it is that trippeth up his own heels.

When I said, "it was great pity that he was not one of Christ's counsellors when He formed His Church[s]," it did not suppose that Christ had any counsellors, but to tax him, who takes upon him so magisterially to dictate, what was necessary then for Christ to do. This I called "sauciness[t]," and justly. Good Christians (as I told him formerly[u]) ought to argue thus,—"Christ formed His Church thus, therefore this is the best form; not thus,—this is the best form, therefore Christ formed it after this manner."

[The Pope no bond of unity according to St. Paul.] Ephes. iv. 4—6.

The only reason why I cited[x] that text of St. Paul, "One Body, one Spirit, one hope, one Lord, one Faith, one Baptism, one God and Father of all," was this; that St. Paul reckoning up seven bonds of unity should omit this which Mr. Serjeant makes to be the only bond of unity, namely, '*unus Papa*'—'one Pope,' or one Bishop of Rome:—"Christ saw it necessary to make a bond of unity between the Churches," and that "for this reason He gave the principality to St. Peter, and consequently to the Bishops of Rome[y]." All this he supposeth on his own head, but doth not go about to prove any thing. If St. Paul had been of the same mind, that was the proper place to have recorded it, and doubtless he would not have omitted it. This argument, which only I used, he doth not touch, but fancieth that I make these seven bonds of unity, or obligations to unity, or means of unity, to be seven marks of those which be in the Church[z]; which I never dreamed of, and therefore I pass it by as impertinent; only adding, that our ground for unity of Faith is our Creed, and for unity of government the very same form of discipline

[s] [Reply to S. W., sect. 8; above p. 319.]
[t] [Ibid.]
[u] [Ibid.]
[x] [Ibid., pp. 319, 320.]
[y] [Down-Derry, pp. 323, 324.]
[z] [Schism Dispatched, sect. 8. pp. 612, &c.]

which was used in the primitive Church and is derived from them to us.

When I "wished," that he had "expressed himself more clearly, whether he be for a 'beginning of order and unity,' or for a single Head of power and jurisdiction[a]," I spake of St. Peter; of whom the case is clear, that he had no more power over his fellow Apostles, than they had over him, and that the supremacy of power rested in the Apostolical College. All that St. Peter had, was a "beginning of unity;" what St. Peter had, the Pope may pretend a claim to; what he had not, the Pope hath no pretence for. Neither John, Patriarch of Constantinople, nor any other ancient Bishop, nor yet St. Gregory himself, did ever dream of such a "singular Headship of power" as he mentions, that is, "that no Bishop in the Church should have power but he[b];" although the Court of Rome, and their adherents, come very near it at this day, deriving all the power of jurisdiction of all other Bishops from the Pope. That power which John affected, and St. Gregory impugned then, and we impugn now, is the power of universal jurisdiction in the exterior court; if that were a heresy in him (as he confesseth), let them look to themselves. Neither is "the Bishop's" primacy of order so "dry a primacy[c]" as he pretendeth, nor destitute of those privileges which belong to a 'primate of order' by the law of nature;—to call assemblies '*sub pœnâ spirituali*,' or to intimate the necessity of calling them, to propose doubts, to receive votes, and to execute so far as he is trusted by the Church. This is the single power of a 'primate of order;' but besides this, he hath also a conjoint power in the government of the Church. What he saith to the prejudice of general Councils[d], I have answered formerly.

[Neither St. Peter nor any ancient Bishop ever pretended to a Headship of power.]

He asks me, "what other successor St. Peter had," who
408 could pretend to a Headship of order, "except the Bishop of Rome[e]?"

[To give a 'primacy of order' rests with a general Council.]

I answer, that I did not speak of what St. Peter had, but what he might have had, or may have, whensoever the 're-

[a] [Reply to S. W., sect. 8; above p. 320.]
[b] [Schism Dispatched, sect. 8. p. 616.]
[c] [Ibid., and sect. 1. p. 500.]
[d] [Ibid. p. 617. See above sect. vi. pp. 565—569.]
[e] [Ibid.]

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presentative' Church (that is, a general Council,) should give the 'primacy of order' to another Bishop. Since he is so great a friend to the School of Sorbonne, he cannot well be ignorant what their learned Chancellor hath written expressly upon this subject, in his Book "*de Auferibilitate Papæ*[f]," not the taking away of the Papacy, but removal of it. And what Bellarmine confesseth, that "neither Scripture nor tradition doth prove, that the Apostolical See is so fixed to Rome that it cannot be removed[g]."

He urgeth, that then "the Church should remain without this principality at the death of every Pope, until all the Churches in Japan, China, and India" had "given their consent;" yet I acknowledge it to be "of perpetual necessity[h]."

First, he doth me wrong, I did not say positively that it is of "perpetual necessity;" but that I "like" it "well enough," and "the reason being of perpetual necessity seemeth strongly to imply" the necessity of the thing. Secondly, I answer, that there is no need to expect such far fetched suffrages, so long as the primacy may remain fixed where it is, unless a general Council or one as general as may be think fit to remove it: and if a general Council remove it, it will take order for the future succession. And this same reason doth clearly take away his answer to my instance, that as the dying of such a Bishop Lord Chancellor of England doth not perpetuate the Chancellorship to that Bishopric, because there is a sovereign prince to elect another, so the dying of St. Peter Bishop of Rome doth not perpetuate the primacy to that Bishopric, because a general Council, when it is in being, hath power to transfer it to another see, if they find it expedient for the public good.

"The Bishop" knoweth right well, that the Church of Christ is both His "Spouse" and His "Family[i]," both the governess and the governed: the supreme governess in respect of its representative, a general Council, to which all ecclesiastical officers, higher or lower, whether constituted by Christ or substituted by the Church, do owe an ac-

[f] [Inter Op. Johan. Gerson., P. i.]

[g] [Bellarm., De Roman. Pontif., lib. iv. c. 4; Op. tom. i. p. 962. B.]

[h] [Schism Dispatched, sect. 8. p. 618; from Reply to S. W., sect. 8, above pp. 320, 321.]

[i] [Ibid., p. 619.]

count; and the governed in respect of that "universality of Christians" which he mentioneth. And this sounds much more sweetly in Christian ears, than to make either the Pope the Master, or the Church of Rome the Mistress, of the Church. DISCOURSE IV.

He brought an argument for the succession of the Roman Bishop drawn from "the vicissitude" of human affairs[k]. I retorted it upon himself, that Rome itself was as much subject to this "vicissitude," as any other place,—"it may be destroyed with an earthquake[l]." He saith, "it must be an unheard-of earthquake, which can swallow up the whole diocese;" if "the city" be destroyed, "yet the clergy of the Roman diocese can elect to themselves a new Bishop[m]." But this new elected Bishop shall be no more the Bishop of Rome, after it is destroyed. But that which concerneth him and the cause more is, he proposeth my objection by halves; I said it might be destroyed by wars also[n], that is, both city and diocese, and become a place for satyrs to dance in and owls to screech in. As great cities as Rome have run that fortune. In that case what will become of his 'election?' I added, "it may become heretical or Mahometan[o]." He answereth, "True, so may the whole Church, if it had pleased God so to order causes[p]." No; by his leave, not so: Christ hath promised, that His universal Church shall never fail; but He hath not promised, that Rome shall never fail. I said, "the Church never disposeth so of her offices" as "not to be able to change her managery, according to the vicissitude of human affairs[q]." He opposeth, that I "granted in the foregoing page, that Christ Himself and not the Church instituted this principality" or primacy; and bids me "shew, that the Church hath authority to change Christ's institution[r]." I did not "grant" it but suppose it; but whether granted or supposed, it is not material to the purpose. The Church hath no power "to change Christ's institution" in essentials; but all ecclesiastical officers whatsoever are her officers, and she

[Rome may become unfit for such a primacy.]

[Isai. xiii. 21.]

[Matt. xvi. 18.]

[k] [Down-Derry, p. 324.]
[l] [Reply to S. W., sect. 8; above p. 321.]
[m] [Schism Dispatched, sect. 8. p. 619.]
[n] [Reply to S. W., ibid.]
[o] [Ibid.]
[p] [Schism Dispatched, sect. 8. p. 619.]
[q] [Reply to S. W., sect. 8; above p. 321.]
[r] [Schism Dispatched, sect. 8. p. 620.]

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[The government of the primitive Church aristocratical.]

I know there are other means "between tyranny and anarchy," besides "aristocracy[s]," even all lawful forms of government, as "monarchy" and democracy: but in the government of the Catholic Church monarchy and democracy had no place, unless it were in respect of particular dioceses or provinces; and therefore to have named monarchy here, had been superfluous and impertinent. But the government of 409
the primitive Church, in the Apostles and their successors, was ever aristocratical; first, by an equal participation of power in the Apostles; and then, by a subordination of Bishops in their successors: and this as well out of general Councils as in them, as well before there were general Councils as after. It is not my want of "memory," but his want of judgment, to pursue such shadows as these, and nickname them "contradictions."

[A 'primacy of order' conducible to the good of the Church.]

He asks, how should a 'primate of order,' who "hath no power to act at all in order to the Universal Church," have "more power to [procure] her good, or [prevent] her harm," than one who hath sovereignty of power[t]?

This is his perpetual practice, to dispute from that which is not granted. St. Peter was a 'primate of order' among the Apostles and no more, yet he had power to act singly as an Apostle; and as a primate among the Apostles, he had power also to act jointly with the Apostolical College; so have all other 'primates of order.' Whatsoever Mr. Serjeant thinks, our Saviour thought this form of government as conducible to the good of His Church, both to "procure her good" and to "prevent her harm," as an absolute sovereignty. I do not "feast the reader with contradictions[u];" nothing is more true than my assertion; but he abuseth his reader with notorious fictions.

If the Papacy be the "bridle in the mouth of the Church[x]," then without peradventure the Pope is the rider, though the Papacy be not. I said enough before to let him see the unfitness of his ludicrous allegory, and taxed him for it. If he delight in it, let him pursue it;

[s] [Schism Dispatched, ibid., p. 621.]
[t] [Ibid. The words between brackets are interchanged in all the editions.]
[u] [Ibid.]
[x] [Down-Derry, p. 325.]

" Nos hâc à scabie tenemus ungues[y]."

How the Church doth both govern and is governed, I have shewed him formerly[z].

[Of the political advantages of the Papacy.]

In his answer he fell into a large encomium of the Papacy, demanding among other things, "what Christian prince can choose but be glad, to have an arbitrator so prudent, so pious, so disinteressed, as a good Pope should be," and, "if this authority were duly governed[a]" I told him, that to look upon men "as they *should be*," was to write dreaming[b]. He rejoineth, that he "looks not upon men at all in this place, but speaks of the office itself," and challengeth me, "what say you to the office itself[c]?"

I answer, first, he saith not truly, for he did "look at men in this place;" otherwise, why did he add this condition, "as a good Pope should be?" and this other, "if this authority were duly governed?" Certainly he who looks upon "an arbitrator so prudent, so pious, so disinteressed as a good Pope should be," looketh something upon men. And so in truth he ought to do: but his fault is, that he looks upon them "as they should be," and not as they commonly are; which is the same fault I tax him with, to write "dreaming," not waking.

[Mr. Serjeant does not say what he means by the Papacy.]

Now to his question,—"what say you to the office itself?"—

I say, first, that though he hath "stated[d]" it p. 624, yet he hath not stated it at all, neither (I fear) dare he state it, nor is willing to state it. He telleth us indeed sometimes of "the substance of the Papacy[e];" but wherein the substance of the Papacy consists (except some general unsignificant expressions of a "Headship," or "chief governorship," or "first movership," about which we have no controversy with them, and which are equally appliable to a 'primacy of order' and a sovereignty of power) he saith nothing. Whether the Pope be an absolute monarch, or a duke of Venice inferior to the whole Senate; whether he have a coactive power in the exterior court, throughout all other princes' dominions, without their leaves; whether he have the right to confer

[y] [Martial., Epigr. V. lxi. 11.]
[z] [Above pp. 610, 611.]
[a] [Down-Derry, p. 325.]
[b] [Reply to S. W., sect. 8; above p. 322.]
[c] [Schism Dispatched, sect. 8. pp. 622, 623.]
[d] [Ibid.] p. 624.
[e] [Ibid.]

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Bishoprics, convocate synods, impose pensions, forbid oaths of allegiance, and require new oaths of allegiance to himself, set up legantine Courts, receive appeals, make laws, dispense with laws at his pleasure, he saith nothing: yet these are the only controversies we have with them. To ask 'what we say to the Pope's authority,' without stating of it, without stinting of it, is an unreasonable demand.

[Nor why he challenges authority to the Pope.]

I say, secondly, that he ought to explain himself, by what right he doth challenge this authority, Divine or human, or only out of prudential reasons. If he challenge it by Divine right or human right, he ought to prove the right, according to the just extent of that authority which he doth challenge, and not wave the extent, as a thing indifferent. If he challenge it out of prudential reasons, it ought to be considered, whether the hopes or the hazards, the advantages or disadvantages, the conveniences or inconveniences of such a form of government, particularly circumstantiated, do over-balance 410 the one or the other; and the surest trial of this is by experience. It will trouble him to find so many advantages, which the Church and kingdom of England have received from Papal jurisdiction (I speak not of the key of order), as may overweigh all those disadvantages which they have sustained by the extortions, and usurpations, and malignant influence of the Papacy. If he attribute no more power to the Pope, than "all" (Roman) "Catholics universally" do approve[f] (which is the only rule that he giveth us, to know what is the substance of Papal authority), he need not be so impetuous, this question is near an end.

[What communion we have with other Churches.]

He asks whether we, "and the Eastern, Southern, and Northern Christians," be "under the government of Patriarchs or any other common government[g]?"

I answer, we and they are under the same common government which the primitive Church was under from the days of the Apostles, long before there were any general Councils; that was, the government of Bishops under Primates or Patriarchs (for, as I have said formerly[h], a Protarch and a Patriarch in the language of the primitive Church are both one). We have as much opportunity to convocate synods as they had

[f] [Schism Dispatched, sect. 8. p. 624.]

[g] [Ibid.]

[h] [Just Vindic., c. v. vol. i. p. 154.]

then, before there were Christian emperors, and more; yet by such Councils as they could congregate, though they were not general, they governed the Church. If there be not that free communication of one Church with another that was then, either by reason of the great distance, or our mutual misunderstanding one of another for want of the old canonical epistles or "*Litteræ Formatæ*," the more is the pity; we are sorry for it, and ready to contribute our uttermost endeavours to the remedy of it.

With these Western Churches which have shaken off the Roman yoke, we have much more communion; by synods, by letters, by publishing our Confessions; and we might justly hope for a much nearer union yet both in doctrine and discipline, if God would be graciously pleased to restore a happy peace. That we have it not already in so large a measure as we might, is their only faults, who would not give way to an uniform reformation. Sometimes they accuse us for having too much communion with them[i], at other times they will not grant us to have any at all.

Concerning the rest of the Western Churches, which submit to the Papacy, we have the same rules both of doctrine and discipline which they had. We have the same that they *have*, saving their additional errors. We have broken no bonds of unity, either in Faith or discipline; we have renounced no just authority, either Divine or human; we adhere to the Apostles' Creed, as the ancient and true rule of Faith, into which alone all Christians, that ever were, have been baptized, and we renounce the upstart additional articles of Pius the Fourth. We are willing for peace' sake to give the Pope the same 'primacy of order,' which St. Peter had above his fellow Apostles; but the supremacy of power was not in St. Peter, but in the Apostolical College; neither is now in the Bishop of Rome, but in a Council of Bishops.

He saith we "maintain" a larger brotherhood than they, but "never go about to shew any visible tie of government[k]."

We shew them the same badge or cognizance of our

[i] [See Replic. to the Bish. of Chalced., Answ. to Pref., sect. 4; above pp. 47—49.]

[k] [Schism Dispatched, sect. 8. p. 625.]

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Christianity, that is, the same Creed, and the same discipline or government, that is, the same colours, derived down from the Apostles by an uninterrupted succession; the same doctrine and the same discipline is "tie" enough. To take an exact "view," it is necessary the organ should be perfect, the medium fit, and the distance convenient; if any one of these were defective in Mr. Ross's "View[l]," he might well mistake: but I may not do him that wrong to trust your testimony without citing his words.

He urgeth, "if Christ have left any unity of government in His Church and commanded it to be kept," and we "have taken a course to leave no such unity," then we "have rebelled against Christ and His Church, and falsely pretend to have Him" our "spiritual Head[m]." I admit this: now let him assume;—'But you' (Protestants) 'have taken a course to leave no unity of government in the Church, which Christ left and commanded to be kept.' I deny his assumption altogether; and he saith not one word to prove it. This is his enthymematical manner of arguing.

[No need for a general Council to sit always, because it is an ecclesiastical Head.]

He proceedeth, that to "have a general Council for an ecclesiastical Head, is to confess that there is no ordinary unity of government in God's Church, but extraordinary only, when a Council sits[n]." 411

I deny this proposition altogether, and the reason is evident; because, besides a general Council, which sitteth but rarely (neither is it needful that it should sit often,

> "Nisi dignus vindice nodus
> "Inciderit[o]"),

there are particular Councils, which in lesser exigents serve the turn as well as general; there are Patriarchs and Bishops, which are ordinary and perpetual. In an aristocracy, it is not necessary that the governors should be evermore actually assembled. In the first three hundred years there were no general Councils held; there was less hope of ever holding them then, than now: yet there was "an ordinary unity of

[l] ["Παναρέβεια, or, A View of All Religions in the World," &c. &c., 2nd. edition Lond. 1655, by Alex. Ross; quoted by Mr. Serjeant, Schism Dispatched, sect. 8. p. 625.]

[m] [Schism Dispatched, sect. 8. p. 626.]

[n] [Ibid.]

[o] [Horat., A. P. 191, 192.]

government in God's Church" in those days, for which they were not indebted at all to any visible monarch. But when a general Council doth sit, the supreme ecclesiastical power rests in it. Discourse IV.

He "wonders," why I should make "the king only a 'political' Head," contrary to our common assertion[p]. It scemeth, that though he hath been bred among us, yet he hath not been much versed in our authors; no man that ever understood himself, made him otherwise. Yet this "political Head" hath a great influence upon ecclesiastical causes and persons, in the external regiment of the Church. [Our king only a political Head.]

He demandeth, "is there any orderly common tie of government, obliging this Head to correspond with the other Head? if not, where is the unity[q]?" I answer, yes; the direction of his spiritual guides, that is, his Bishops and synods: if this method be so great a rarity with him, it is his own fault. He had said more properly, "to correspond with the other Heads" than "Head."

He saith, it is "false" to say, that they "have sometimes two or three Heads, since there can be but one true or rightly chosen Pope[r]." [The Pope's Headship uncertain.]

True, but the election may be uncertain, that no man living can know the true Pope: so whether there be three Popes, or one Pope and two pretenders, yet if the right Pope cannot be made appear, it is all one relatively to the Church; "if the trumpet give an uncertain sound, who shall prepare himself to the battle?" [1 Cor. xiv. 8.]

He telleth us further, that when the See of Rome is vacant, "the Headship is in the chief clergy" whom they "call Cardinals," as "secure" a course "as man's wit can invent[s]." [And interrupted.]

As "chief" as their Cardinals are, the much greatest part of them were but ordinary Parish Priests and Deacons of old. The Cardinals indeed have to do with the Church of Rome in the vacancy; but what pretence have they from St. Peter? what have they to do with the universal monarchy of the Church? Before he told us, that their Headship was

[p] [Schism Dispatched, sect. 8. p. 626.]
[q] [Ibid., p. 627.]
[r] [Ibid.; from Reply to S. W., sect. 8, above p. 324.]
[s] [Ibid.]

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"Christ's own ordination;" now he telleth us, that this Headship is sometimes in the College of Cardinals, and that it is "as secure" a course "as man's wit can invent." What a "contradiction" would he make of this!

["The Harmony of Confessions."]

He demandeth, "doth the Harmony of Confessions shew," that we "have one common certain rule of Faith, . . or any particular sort of government obliging" us "to an unity under the notion of governed[t]?"

I do shew him "one common certain rule of Faith," even the Apostles' Creed; and a "particular sort of government," even the same was used in the primitive times. What am I the better? He will take no notice of them; because I will not fix upon that rule of Faith, and that form of government, which he fancieth. Yet I am for Tradition as well as he, but it is universal and perpetual tradition; such a tradition is the Creed, and indeed is that very tradition which is so renowned in the ancients.

[Heretical Baptism.]

He chargeth me with saying that "heretics" can have no Baptism[u].

Let him either make his accusation good, or suffer as a falsifier. All that I say is, "Turks, Jews, heretics, and Christians," have not "the same Baptism[x]." The reason is plain, because Turks and Jews have no Baptism at all. Secondly, we ought to distinguish between the Baptism of heretics, and heretical Baptism: if the Baptism itself be good, the administration of it by heretics doth not invalidate it at all; but if the heretic baptize after an heretical form, as without due matter or not in the name of the Trinity, such Baptism is heretical and naught[y]. But all this is needless to understand the right scope of my words. I said, that "a body consisting of Jews, Turks, heretics, and Christians," had not "the same Baptism;" I did not say, that every one of these wanted true Baptism. He might as well charge me with saying, that Christians can have no true Baptism.

I have manifested elsewhere[z], that the Creed is a list of 412
all fundamentals; and in the same section and chapter the

[t] [Schism Dispatched, ibid., pp. 627, 628.]
[u] [Ibid., p. 628.]
[x] [Reply to S. W., sect. 8; above p. 324.]
[y] [See Bingh., Orig. Eccl., bk. xi. c. 3. § 11.]
[z] Section i. c. [11; above pp. 470, 472—476.]

reader shall find, that the Bishop is not a falsifier, but Mr. Serjeant is both an egregious calumniator and falsifier, of the Council of Ephesus. Discourse IV.

I took the word "Paganism" in the ancient primitive sense, for infidelity, as it is contradistinguished to Christianity[a]. The true reason of that appellation was, because country villages did continue long in their infidelity, after cities were converted to Christianity. So the Turks are the only "Pagans" which we have now in this part of the world. What a piece of Gotham wisdom is this; to quarrel about names, when we agree upon the things. Turks and Pagans in my sense were the same thing, both infidels. [Paganism.]

But he instructs "the learned Bishop," that the Turks "acknowledge a God[b]." So did the Pagans also, if Lactantius say true,—"*Non ego illum lapidem colo quem video, sed servio ei quem non video*[c]." He addeth, that I "affirm the Council of Ephesus, held in the year 430, ordered something concerning Turks, which sprang not up till the year 630;" and calleth this "good sport[d]." If there be any "sport," it is to see his childish vanity. If I listed to play with words, I could tell him, that the *Mahometans* sprung up about the year 630, the *Turks* many ages after. But the answer is plain and easy;—the Council of Ephesus did give order for all ages ensuing concerning infidels; but Turks are infidels; and so it gave order concerning Turks.

"Socinians and Arians" may "admit" the Apostles' Creed[e] interpreted their own way, but they ought to admit it, as it is interpreted by the first four general Councils; that they do not, and so they believe not all fundamentals as they should do. What he objecteth further,—that "Puritans" hold not the article of "Christ's Descent into Hell," and the Roman Catholics and Protestants differ about "the sense" of two other articles[f],—hath been answered formerly[g]. The

[a] [See Schism Dispatched, sect. 8. p. 629: denying the Turks to be "Pagans," because "'tis known they acknowledge a God."]

[b] [Schism Dispatched, ibid.]

[c] [This passage is from S. Augustin (In Ps. xcvi. v. 11, Op. tom. iv. p. 1047. D.); but one very similar in words, and identical in sense, occurs in Lactantius, Instit. Divin., lib. ii. c. 2. init., in Biblioth. Patr., tom. iii. p. 235. D.]

[d] [Schism Dispatched, sect. 8. p. 629.]

[e] [Ibid.]

[f] [Ibid.]

[g] [Above sect. vi. pp. 596, 597.]

PART I. Puritans will tell him, that the manner of Christ's Descent hath not been determined hitherto; and I doubt much, he understandeth not the Romish and English tenets so well as he should.

SECTION IX.

THAT THE POPE AND COURT OF ROME ARE MOST GUILTY OF THE SCHISM.

[1. The first reason to convince the Pope and Court of Rome of schism; viz. that they seek a higher place in the Church than is their due.]

1. My first charge was this;—that member of any society, which leaveth its proper place to assume a higher place in the body, is schismatical; but the Pope and his party do not content themselves, that the Church of Rome should be "the sister of other Patriarchal Churches, and the mother of many Churches," unless she be "lady and mistress of all Churches," or that the Pope should be the brother of other Bishops or a fellow of other Bishops (as he was styled of old), unless he may be the lord and master of all Bishops[h]. That the former is his proper place, I clearly proved by letters, not of himself to other Bishops—that might be condescension, as for a general to call his officers fellow soldiers,—but of other Bishops to him—no under-officer durst presume to call his general fellow-soldier[i]. That he assumeth the other place to himself, is proved out of the new Creed of Pius the Fourth;—"I acknowledge the Roman Church to be the mother and mistress of all Churches; and I promise and swear true obedience to the Bishop of Rome, as to the Vicar of Jesus Christ;"—and in the oath of allegiance, which all Bishops swear to the Pope,—"I, A. B. Bishop," &c. "will be faithful to St. Peter, and to the holy Apostolical Church of Rome, and to our lord Pope Alexander," &c. There is a great distance between the old "brother Bishop" and "fellow Bishop," and this oath of allegiance to the Pope as to their liege-lord.

First, he chargeth me, that I do "flatly falsify" his "words, which do never deny her to be a mother but a sister only[j]."

[h] [Just Vindic., c. viii. vol. i. p. 247.]
[i] [Replic., &c., c. viii. sect. 2; above pp. 239, 240.]
[j] [Schism Dispatched, sect. 9. p. 630.]

Either I falsified his words, or he falsified mine. My words were these,—"First, they make the Church of Rome to be not only the sister of all other Patriarchal Churches, and the mother of many Churches, but to be the lady and mistress of all Churches[k]." The two former branches of "sister" and "mother" are both acknowledged, the last only of "lady and mistress" is denied. He falsifieth my words in his answer thus,—"Because she takes upon her to be mistress, 413 where she is but sister to other Churches[l]." You see the word "mother" is left out; and because I bring it in again as I ought, to make the argument as it was before his curtailing of it, I am become the "falsifier" with him, and he who is the falsifier in earnest is innocent.

I cited the words of St. Bernard, to prove that the Pope was not lord or master of other Bishops, and the Roman Church a mother of other Churches, not a "lady or mistress[m]." He distinguisheth between "*dominam*" and "*magistram*," an "imperious proud" lady "mistress," and a schoolmistress or "teacheress;" adding, that they use the word '*magistram*' in the "latter" sense[n]. So they say no more than we; we do acknowledge the Church of Rome to be a "teacheress," and the Pope a 'teacher,' as it is an Apostolical Church, and he an Apostolical Bishop: but all the question is of the other word "*dominum*," which the Pope taketh to himself as well as "*magistrum*;" as we have seen in the oath of allegiance, which he makes all Bishops to swear. Neither doth St. Bernard oppose "proud imperious" dominion to gentle dominion, but he contradistinguisheth dominion to no dominion;—"and thyself not a lord of other Bishops, but one of them[o]." "Not a lord of other Bishops," saith St. Bernard; a lord of other Bishops, saith the oath of fidelity,—"I will be faithful to our lord Pope Alexander."

[The Church of Rome claims to be a mistress, not a teacheress.]

He urgeth, that "the Bishop . . hath brought a testimony, which asserts the Church of Rome to be the mother of other Churches, and so of the Church of England too[p]."

[k] [Just Vindic., c. viii. vol. i. p. 247.]
[l] [Down-Derry, pp. 326, 327.]
[m] [Reply to S. W., sect. 9; above p. 325.]
[n] [Schism Dispatched, sect. 9. pp. 630, 631.]
[o] [S. Bernard, De Consider. &c., lib. iv; ap. Goldast., Mon. S. Rom. Imp., tom. ii. p. 88.]
[p] [Schism Dispatched, sect. 9. p. 631.]

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St. Bernard asserteth the Church of Rome to be the "mother of other Churches," so did "the Bishop;" but not to be the mother of *all* other Churches, no more did "the Bishop;" particularly not of the Church of Britain, which was ancienter than the Church of Rome, and so could not be her daughter. Let them prove their right that they are our mother, and we are ready to do our filial duty; saving always that higher duty which we owe to our mother paramount, the Universal Church. But neither can they prove their right that they are our mother; neither is that subjection which they demand, the subjection due to a particular mother, but to an universal lord.

But "schism involves in its notion disobedience," &c.; and so "the Bishop . . concludes the mother schismatical, because she is disobedient to her daughter[q]."

His first error is, to make the Church of Rome to be our mother. The second, to think that a mother may challenge what obedience she listeth of her daughter. The third, that schism consisteth altogether in the disobedience of subjects. Causal schism may and doth ordinarily consist in the unlawful injunctions of superiors.

[2. The second reason to convince them of schism; viz. the new Creed of Pius IV.]

2. My second reason to convince them as guilty of schism, was the new Creed set out by Pius the Fourth; this he calleth a "calumny[r]."

He cannot speak lower than "calumnies—absurdities—contradictions—falsifications," &c. A high "calumny" to slander them with a matter of truth! It is such a "calumny" as they will never be able to shake off. He referreth the reader to what he hath said in the first Section, and I to my answer there[s].

He saith it "is known, that each point in that profession of Faith" (that is, the twelve new Articles) "was held of Faith by the former Church[t]."

How? "held of Faith?" as an essential of Faith? And this "known?" To whom? To the man in the moon? But here is the maddest "contradiction" that ever was, and might well have become his "merry stationer." It "is a

[q] [Ibid., p. 632.]
[r] [Ibid.]
[s] [Above sect. 1. c. 11. pp. 474—476.]
[t] [Schism Dispatched, sect. 9. p. 632: "held *as* of Faith."]

contradiction to pretend that he" (Pius the Fourth) "made a new Creed, till it be shewn, that any of these points .. was not formerly of Faith, and be proved satisfactorily, that the Apostles' Creed contained all necessary points of Faith[u]." A "contradiction?" I see many men talk of Robin Hood, who never shot in his bow; talk of "contradictions," who know not what they are. Observe the equity of these men; they visibly insert twelve new articles into the Creed, and then would put us to prove, that they "were not of Faith before," and "that all necessary points of Faith are contained in the Apostles' Creed." He is resolved to keep two strings to his bow, and knoweth not which of them to trust to. Hear you, Sir; if they be articles of Faith now, as you have made them, then they were always articles of Faith; and all those were damned which did not believe them; but that you dare not say.

3. My third charge of schism was, because they maintain the Pope in his rebellion against general Councils. [3. The third reason to convince them of schism; viz. their maintaining the Pope in his rebellion against general Councils.]

Here he distinguisheth between a "schoolman" and a
514 "controvertist[x]," to no manner of purpose, for it is altogether impertinent. There is no man who inveigheth so much against "wording" and "quibbling" as himself, and yet the world hath not a greater "worder" or "quibbler" than he is.

Wherefore, to prevent the reader's trouble and mine own, and his shifting and flinching, and to tie him within his compass perforce, I made bold to reduce my argument to a syllogistical form. "They who subject a general Council, which is the highest tribunal of Christians, to the Pope, are guilty of schism: but the Pope and Court of Rome, with all their maintainers (that is, much the greater part of their writers), do subject a general Council to the Pope: therefore the Pope and Court of Rome with all their maintainers, that is, the much greater part of their writers, are guilty of schism[y]."

Here he should have answered punctually to the proposition or assumption, either by denying, granting, or distin-

[u] [Ibid. "contains all necessary points."]

[x] [Ibid.]

[y] [Reply to S. W., sect. 9; above pp. 326, 327.]

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guishing: but for all his calling for a "rigorous demonstrative way," he liketh it not, because he cannot make such impertinent, extravagant excursions as he useth to do, which are the only help he hath at a dead lift. All the answer he giveth is this, "He" ("the Bishop") "is accused of a contradiction and nonsense, and to clear himself he tells us, he will now lay aside the one part of the contradiction, and endeavour to make good sense of the other[z]." To what proposition, to what term doth he apply this answer? I see no "contradiction," I see no "nonsense," in my discourse, nor any body living but himself. I said no such thing as he pretendeth. What doth the man mean by these 'waves of brainless buttered fish,' by these heterogeneous incoherent fopperies, and chimæras which have no existence but in his own pate? If he mean to answer, let him do it clearly like a scholar? Since I have found this way to tie him to his matter, and restrain his torrent of words, I shall put it in practice oftener. Yet if I meet with any such thing as is substantial among his vapouring expressions, which hath but the least resemblance of an answer, though it be not reduced into form, I will glean it out, and examine the weight of it.

Such is this which followeth;—"Was it for this opinion of the Pope above the Council," &c.? "how were they guilty of schism for this? unless they had denied you communion for holding the contrary, or prest upon you an unconscientious approbation of it, which you know they did not: fool not your readers, my lord; it was not for this tenet which you impute to the Court of Rome, but for that of the Pope's Headship or spiritual jurisdiction over all God's Church held by all Catholics," &c., "for which you are excommunicated[a]."

It is true they did not 'deny us communion' for holding this opinion, nor "press" upon us "an unconscientious approbation" of this opinion directly, for any thing that I know; but, nevertheless, they have by their power subjected a general Council to the Pope, they have procured it to be defined (though not expressly) in the Council of Florence, and to be expressly defined in the Council of Lateran under Leo the

[z] [Schism Dispatched, sect. 9. p. 635.]

[a] [Ibid.]

Tenth[b]. Hence it is, that all the Councils since the Councils of Constance and Basle and the two Pisan Councils have wanted conciliary freedom, and been altogether at the disposition of the Popes; to prorogue them, to transfer them, to stint them what matters they might handle, and what not, to defer their determinations until he had formed or created a party, or wrought some of the dissenting Bishops to his will, to ratify or reject their decrees at his pleasure. When or where was it ever heard before, that there was twice as many Bishops of one nation in a general Council, as of all other nations in the world? Hence was that complaint of the Fathers in the Council of Trent, that the synod was guided by "the Holy Ghost sent from Rome in a mail." If it had not been for this thing, but the Fathers had been permitted freely to have proceeded in the Council of Trent in the resolution of that noble question concerning the residence and Divine right of Bishops, in all probability this great rent had been made up, and he and I had not needed to have disputed this question at this day[c]. DISCOURSE IV.

Thus by this opinion, and by their sinister practices to establish it, they are causally and formally schismatical; and have been both the procreating and conserving cause of this great schism; the procreating cause, by altering the hierarchy, and disordering the members, which doth neces-
415 sarily produce a disturbance and schism in the body; and the conserving cause, by destroying the freedom of Councils, which are the proper remedies of schism. Whether these latter Councils were œcumenical, or occidental, or neither, is not the point in debate. They are those which they call general; they were as general as they would permit them to be; and to conclude, it was their fault that they were not more general. So though this were not the very cause alleged by them, why they did excommunicate us; yet it was one of the causes of the schism, and consequently of our excommunication.

I leave every man free to judge for himself: but for mine own part, I am so great a lover of the peace of Christendom, that I should not oppose the Bishop of Rome's Headship of [The author willing to grant the Bishop of Rome a Headship of order.]

[b] [See Reply to S. W., sect. 9; above pp. 327, 328.]

[c] [See Just Vindic., c. vi. vol. i. pp. 189, 190.]

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order, if he would be content with it; and that is as much as many whom he styleth his own sons do yield him. But though that be sufficient for the Catholic Church, it is not sufficient for the Court of Rome to fill their coffers; they love not such "a dry Papacy." I dispute only whether the Pope's right be Divine, or human, or mixed (as Gerson[d] thought); either score may justly challenge duty: but I am very positive, that whatsoever the Bishop of Rome hath more than this 'primacy of order,' or "beginning of unity," he had it by human right, and by human right he may lose it. Neither do I go about to deprive the Bishop of Rome, or any Bishop whatsoever, of any jurisdiction purely spiritual, which was left them as "a legacy" by "Christ or by His Apostles:" but I deny, that apparitors, or pursuivants, or prisons are "of Christ's institution;" I deny, that Christ or His Apostles did ever either exercise themselves, or grant to others authority to exercise, coactive jurisdiction in the exterior court, over the subjects of other princes, within their dominions, and without their leaves. If subjects submit, '*volenti non fit injuria*,' but then it is not coactive; if princes give leave (as they have done in all ages, so far as they judged it expedient for the public good), then it is very lawful: but without the subject's submission, or the prince's leave, there may be indeed a spiritual kind of coaction in the interior court of conscience, but no true coaction in the exterior court of the Church.

I see he understandeth not the sense of that logical restriction, "the Papacy as it is such;" which signifieth not the Papacy as it ought to be, or so far as all Roman Catholics do agree about it; but the Papacy as it is qualified in present; or as it is owned, or obtruded, or endeavoured to be obtruded, by the Pope and Court of Rome. So "the Papacy as it is such" is opposed or contradistinguished to the ancient Papacy in the purer and more primitive times, which was not guilty of those usurpations which the modern Popes have introduced. Thus still my "contradiction" doth end in his misunderstanding.

[4. The last reason to convince

4. My fourth and last charge of schism upon the Pope and Court of Rome was thus:—"They who take away the

[d] [See above sect. i. c. 1. p. 376.]

line of Apostolical succession throughout the world except in the See of Rome, who make all Episcopal jurisdiction to flow from the Pope of Rome, and to be founded in his laws, to be imparted to other Bishops as the Popes' vicars and coadjutors assumed by them into part of their charge, are schismatics; but the Pope and Court of Rome and their maintainers do thus; therefore the Pope and Court of Rome and their maintainers are schismatics [e]."

Discourse IV. them of schism; viz. that they take away all lines of Apostolical succession but their own.]

To this argument he vouchsafeth no answer at all in due form as it ought to be, and I have no reason to insist long upon his voluntary jargon. All the answer which he intimateth is this, that "this tenet is not general among them, but points of Faith are held generally [f]." Here is an answerless answer, without confessing or denying either proposition. Such an answer doth not become one, who maketh himself so great a master in the art of disputing. I charge not their whole Church, but the Pope and Court of Rome, and all their abetters and maintainers, with the crime of schism. I conclude no more than I assume. He answers, that "the whole Church" doth not hold these tenets [g]. What is that to the purpose? As if a particular person, the Pope, or a particular society, as the Court of Rome, or the greater part of a Church, as all their abetters and maintainers, could not be schismatics, except the whole Church be schismatical; which is most absurd. I am free to charge whom I will; if
416 he will not answer for them, he may be silent; but if he undertake to be their advocate, let him defend them in due form as he ought, and not tell us, that he is not "concerned as a controvertist" to defend any thing but "points of Faith [h];" which is neither better nor worse in plain English than to run away from the question. All our controversy is, whether such and such pretended privileges be Papal rights, or Papal usurpations: if he dare not maintain them to be just rights, either by Divine law or human law, and refuse to contend with us when we prove them to be usurpations, to what end doth he interest himself, and break other men's heads with the clattering noise of his sabots?

[e] [Reply to S. W., sect. 9; above p. 327.]
[f] [Schism Dispatched, sect. 9. p. 636.]
[g] [Ibid., p. 637.]
[h] [Ibid.]

SECTION X.

AN ANSWER TO THEIR OBJECTIONS.

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[1. Of the first objection; viz. that we have separated ourselves from the communion of the Catholic Church.]

1. THEIR first objection was, that we had "separated ourselves from the communion of the Catholic Church [i]." I answered, that we hold "communion with thrice so many Catholic Christians as they do [k]," that is, the Eastern, Southern, and Northern Christians, besides Protestants. He interpreteth these Christians with whom we hold communion, to be "numberless multitudes" of "Manichees, Gnostics, Carpocratians, Arians, Nestorians, Eutychians," &c.; adding, that he "protesteth most faithfully, he doth not think" that I "have any solid reason to refuse communion to the worst of them [l]." Reader, learn how to value his "faithful protestations" hereafter. I shew that we all detest those damned heresies; and complain of his partiality, and want of ingenuity, to abuse the reader with such lying suggestions, which he himself knoweth to be most false; and challenge him to shew, that any of us are guilty of any of these heresies: now see what he produceth to free himself from such a horrid calumny.

First, he saith, that "the Bishop's task is evidently this," to shew some "solid reasons . . why he admits some of these, and rejects others [m]."

This is not the purging of his old calumny, but the twisting of a new calumny to it. I abominate and anathematize them all, and he will have a reason of me, why I "admit some of them, and reject others." Well done, brave disputant!

Secondly, he urgeth, "suppose" he "could not" charge the Church of England or any of these other Churches "with any of these heresies, . . are there no other heresies in the world but these old ones? or is it impossible that a new heresy should arise [n]?"

[i] [Just Vindic., c. ix. vol. i. p. 257.]
[k] [Ibid.]
[l] [Down-Derry, p. 328.]
[m] [Schism Dispatched, sect. 10. p. 638.]
[n] [Ibid.]

There are other heresies in the world, and it is possible that a new heresy may arise: but what doth that concern the Church of England? unless he think that there is no heresy in the world, nor is possible to be, but the Church of England must be guilty of it. Worser and worser.

He proceedeth, that he "accused not the Church of England or the Bishop for holding those material points, . . but that, having no determinate certain rule of Faith, they had no grounds to reject any from their communion, who hold some common points of Christianity with them [o]."

It is well; "*habemus confitentem reum;*" Mr. Serjeant retracts his charge.

The Church of England and the Bishop are [at] once declared innocent of those old heresies, which he made a muster of to no purpose.

To let him see that I say nothing new, and how he thrasheth his own friends blind-fold;—Peter Lombard [p], Thomas à Jesu [q], Cardinal Tolet [r], and many others [s], do make the question about the procession of the Holy Ghost to be verbal only without reality; and that the Grecian expressions of "*Spiritus Filii*"—"the Spirit of the Son," and "*per Filium*"—"by the Son," do signify as much as our "*Filioque*"—"and from the Son." And of the Nestorians, Onuphrius giveth this judgment,—"These Nestorians do seem to me to have retained the name of Nestorius the heretic rather than his errors, for I find nothing in them that savoureth of that sect [t]." And for the supposed Eutychians, Thomas à Jesu giveth us ample testimony, that the suspicion did grow upon a double mistake. They were suspected of Eutychianism because they retained not the Council of Chalcedon; and they received not the Council of Chalcedon, because they suspected it of Nestorianism; but yet they accurse Eutyches for a heretic, and so did the
417 Council of Chalcedon anathematize Nestorius [u]. The same

[o] [Ibid.]

[p] [Sentent., lib. i. Distinct. xi. c. 3.]

[q] [Thesaur. Sap. Divin. in Gent. Omn. Salut. Procur., lib. vi. P. i. c. 3. p. 248.]

[r] [Comment. in Johan., c. xv. Annot. 25. But see also c. xvi. Annot. 23.]

[s] [See Field, Of the Church, bk. iii. c. 1. pp. 50—54; and Laud, Relat. of Confer., § 9.]

[t] Onuphrius [Panvin.], in Vitâ Julii Tertii; [in Continuat. Platin., De Vitis Pontif., p. 389, 1, 2.]

[u] Thom. à Jesu, [Thesaur. Sap. Di-

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is asserted by Brerewood, out of the confessions of the Jacobites, Nestorians, Armenians, Cophtites and Abyssenes [x].

To his objection I answer: first, that though we had no such certain rule of Faith, yet it was not presently necessary, that we must tumble headlong into such abominable errors as many of these heretics held, which the discreeter heathen did detest; secondly, we have a certain rule of Faith, the Apostles' Creed dilated in the Scriptures, or the Scriptures contracted into the Apostles' Creed; and for that ugly fardle of heresies, which he mentioneth, we can shew that they are all diametrally opposite to the Apostles' Creed, as it is explained in the four first general Councils. Reader, have a care to preserve Epictetus his jewel, "Remember to distrust[y]" such "faithful," or rather feigned, "protestations."

[The Scripture interpreted according to the analogy of Faith and the tradition of the Church, the ground of Faith in the Church of England.]

He argueth, "All those heretics" had "the same rule or grounds of their Faith" that "Protestants" have, namely, the Holy Scripture; therefore they "are all of the Protestant communion[z]."

In good time. All those heretics "had the same rule or grounds of their Faith" that Roman Catholics have, namely, the Holy Scriptures; therefore they are of the Roman Catholic communion. If he except, that the bare letter of the Scriptures is not the ground or rule of Faith to Roman Catholics, but the Scripture interpreted according to the analogy of Faith and tradition of the Church; the Church of England saith the very same for itself. So if this be "the source of all error"—to abandon the tradition of the Church, we are far enough from "the source of all error." This is the only difference in this particular between me and Mr. Serjeant; what he attributeth to "the tradition of immediate forefathers," I ascribe to the perpetual and universal tradition of the Catholic Church. Who would believe, that this man himself had deserted "the tradition of his immediate forefathers?"

[Of immediate tradition.]

That which he addeth,—"the tradition of immediate forefathers" is "the only ground of Faith's certainty," and "the denying" of it "more pestilential" than the denying of the

vin., &c.] lib. vii. P. i. cc. 3, 11. [pp. 356, &c. See c. 14. p. 388; and Field, Of the Church, bk. iii. c. 1. p. 66.]

[x] Brerewood's Enquiry [touching the Diversity of Languages and Religions, &c.], c. 25. p. 183. [2nd. edit. Lond. 1622.]

[y] [Epicharmus, ap. Cic., Ad Attic., i. 19.]

[z] [Schism Dispatched, sect. 10. pp. 638, 639.]

Godhead of Christ, "or the asserting the worst of those errors which any of those old heretics held[a]," as, there are two Gods, a good God and an evil God;—is most false and dangerous, to tumble into a certain crime for fear of an uncertain. What he addeth concerning "sects" new "sprung up in England," and Luther, and Carolostadius[b], concerneth not us, nor the present controversy.

[How far the Eastern Christians are free from Nestorianism.]

I said, that some few Eastern Christians were called Nestorians, and some others by reason of some unusual expressions suspected of Eutychianism, but most wrongfully: and in our name and in the name of all those Churches which hold communion with us, I accursed all the errors of those heretics[c]. Notwithstanding all this, he saith, that "nothing is more right than to call them so;" that what I say here, is "contrary to the public and best intelligence we have from those remote countries;" that I "have a mind to cling in very brotherly and very lovingly with the Nestorians and Eutychians," though I "say" I "will not;" that I "stroke those errors," which I "accurse," "with a gentle hand," styling them but "unusual expressions[d]."

First, for so much as concerneth myself, I have renounced those errors, I have accursed them: if yet he will not credit me, there is nothing left for me to do, but to appeal to God, the searcher of all hearts, that what I say is true, and his accusations are groundless calumnies. But as to the merit of the cause he addeth, that these "'unusual expressions' were only these, that Christ had Two distinct Persons, and no distinct Natures[e]." Thus he saith; but what authors, what authority doth he produce, that any of these Churches are guilty of any such expressions? None at all, because for all his "good intelligence" he hath none to produce, nor ever will be able to produce any; and so his "good intelligence" must end in smoke and stink, as his "most faithful protestation" did before. I will conclude this point to his shame with the doctrine of the English Church, Art. 2. that "the Two Natures, Divine and Human, are perfectly and inseparably conjoined in the Unity of the Person of

[a] [Ibid., p. 639.]
[b] [Ibid.]
[c] [Reply to S. W., sect. 10; above pp. 328, 329.]
[d] [Schism Dispatched, sect. 10. p. 640.]
[e] [Ibid.]

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Christ[f]." Doth this agree with his counterfeit expressions, "Christ hath Two distinct Persons, no distinct Natures?"

When I used this expression, "the best is, we are either wheat or chaff of the Lord's floor, but their tongues must not winnow us[g]," these words, "the best is," had no such immediate relation unto the words immediately following, "we are either wheat or chaff," but to the last words, "their tongues must not winnow us;" making this the complete sense, "we are either wheat or chaff," but "the best is," whether we be wheat or chaff, "their tongues must not winnow us." What poor boyish picqueering is this? 418

[Agreement of the Greek Churches with the Church of England:]

In my Reply to the Bishop of Chalcedon, occasionally I shewed the agreement of the Greek Churches with the Church of England, in the greatest questions agitated between us and the Church of Rome, out of Cyril late Patriarch of Constantinople[h]; which he taketh no notice of, but in requital urgeth a passage out of Mr. Ross, in his Book called a "View of all Religions[i]." It is an unequal match, between Mr. Ross a private stranger, and the Patriarch of Constantinople, in a cause concerning his own Church.

[Concerning the worship of Images;]

I meddle not with Mr. Ross, but leave him to abound in his own sense; I know not whether he be truly cited or not: but with Mr. Serjeant, I shall be bold to tell him, that if he speaketh seriously, and *bonâ fide*, he is mistaken wholly; neither do the Greeks "place much of their devotion in the worship of the Virgin Mary, and painted images[k]." Hear Cyril the Patriarch, "We give leave to him that will, to have the Images of Christ and of the Saints, but we disallow the adoration and worship of them, as prohibited by the Holy Ghost in Holy Scripture[l]." And another,—'They give great honour to the Virgin Mary the Mother of Christ, but they neither adore her, nor implore her aid[m].' And for the "intercession, prayers, help and merits of the Saints[n]" (taking

[And of the Virgin Mary;]

[f] [Translated by Bramhall.]

[g] [Reply to S. W., sect. 10; above p. 328.]

[h] [Replic., &c., c. ix. sect. 3; above pp. 265, 266.]

[i] [Quoted in Schism Dispatched, sect. 10. pp. 641, 642.]

[k] [Schism Dispatched, ibid. p. 641; from Ross.]

[l] Cyril [Lucar., Confess. Fidei, Responsions.] ad Interrog. [iv. pp. 56, 58.]

[m] [See however the Orthod. Confess. Eccl. Orient., P. i. Qu. 42. P. iii. Qu. 52. ed. Leipsic 1695; Smith, De Eccl. Græc. Hodiern. Statu, pp. 160, 161; and Platon, De Eccl. Græc., § 22, ap. Dutens, Œuvres Mêlées, Pt. 2. pp. 171, 172.]

[n] [Schism Dispatched, sect. 10. p. 641; from Ross.]

the word "merit" in the sense of the primitive Church, that is, not for 'desert,' but for 'acquisition[o]'), I know no difference about them among those men who understand themselves; but only about the last words, "which they invocate in their temples[p]," rather than Churches. A comprecation both the Grecians and we do allow, an ultimate invocation both the Grecians and we detest[q]: so do the Church of Rome in their doctrine, but they vary from it in their practice[r]. [The Invocation of Saints;]

It followeth, "They place justification not in faith, but in works[s];" most falsely. Hear Hieremy the Patriarch; "We must do good works, but not confide in them[t];" and Cyril his successor, "We believe that man is justified by faith, not works[u]." [Justification;]

Before we can determine for whom those Eastern, Southern, and Northern Christians are in the question concerning "the Sacrifice of the Mass[x]," it is necessary to know what the right state of this controversy is. I have challenged them to go one step further into it than I do, and they dare not; or rather they cannot without blasphemy. [The Sacrifice of the Mass;]

The next instance concerning Purgatory is so gross and notorious a mistake, that it were a great shame to confute it; "They believe, that the souls of the dead are bettered by the prayers of the living[y]." Which way are they bettered? That the souls of [the] damned are released or eased thereby, the modern Greeks deny, and so do we: that there are any souls in Purgatory to be helped, they deny, and so do we: that they may be helped to the consummation of their blessedness, and to a speedier union with their bodies by the resurrection thereof, they do not deny, no more do we[z]: we pray daily, "Thy Kingdom come," and, "Come, Lord Jesus, [Purgatory;]

[o] [See authorities in Ussher, Answ. to a Jesuit's Challenge, § of Merits, pp. 552, &c. Lond. 1631.]

[p] [Schism Dispatched, sect. 10. p. 641; from Ross.]

[q] [Hierem., Prim. Respons. ad Augustan. Confess., c. xv. pp. 109, 110. et c. xxi. pp. 127, 128; but see Tert. Respons., § 4. pp. 368, 369; inter Acta Wirtemberg, Witeb. 1584. — Orthod. Confess. Eccl. Orient. P. iii. Qu. 52. See Field, Of the Church, bk. iii. c. 1. pp. 59, 60.]

[r] [See Answ. to La Millet. (vol. i. pp. 57, 58), Disc. i. Pt. i.]

[s] [Schism Dispatched, sect. 10. pp. 641, 642; from Ross.]

[t] Prim. Resp. [ad August. Confess.], c. vi. [init., p. 71. inter Acta Wirtemb.]

[u] [Confess. Fidei,] c. 13. [p. 28.]

[x] [Schism Dispatched, sect. 10. p. 642; from Ross.]

[y] [Ibid.]

[z] [See Answ. to La Millet., vol. i. pp. 59, 60; and for the opinions of the Greeks concerning Purgatory, the Orthod. Confess. Eccl. Orient., P. i. Qu. 65, 66; Smith, De Eccl. Græc. Hodiern. Statu, pp. 139, 140; Field, Of the Church, bk. iii. c. 1. p. 59.]

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come quickly;" and "that we, with this our brother, and all other departed in the Faith, may have our perfect consummation and bliss both in body and soul[a]."

[The authority of the Church;]

They hate ecclesiastical tyranny, and lying supposititious traditions, so do we; but if they be for "the authority of the Church," and for genuine Apostolical "traditions[b]," God's blessing on their hearts, so are we.

[And the adoration of the Sacrament.]

Lastly, the Grecians know no Feast of *Corpus Christi*, nor carry the Sacrament up and down, nor elevate it to be adored. They adore Christ in the use of the Sacrament, so do we: they do not adore the Sacrament, no more do we[c].

[Their differences from the Church of Rome.]

Yet from hence he inferreth, that "there is not . . a point of Faith wherein they dissent from the Church of Rome, except that one of the Pope's Supremacy[d]."

It is well they will acknowledge that. Yet the Grecians agree with us, and differ from them, in his two rules or bonds of unity. 1. In the rule of discipline, the Grecians and we have the same government of Bishops under Patriarchs and Primates. 2. Secondly, in the rule of Faith; the Grecians and we have both the same canonical Books of Scripture, both reject their Apocryphal additions from the genuine canon; they and we have both the same Apostolical Creed, both reject the new additions of Pius the Fourth; in sum, they and we do both deny their Transubstantiation, their Pur- 419
gatory, their Justification by works '*in sensu forensi*,' their doctrine of Merits and Supererogation, their septenary number of the Sacraments, their Image-worship, their Pardons, their private Masses, their Half-communion; and, to be brief, the Grecians do renounce and reject all those branches of Papal power, which we have cast out of the Church of England.—As [first,] the Pope's sovereignty over the Catholic Church by Divine right,—as Nilus saith; "It is intolerable that the Roman Bishop will not be subject to the canons of the Fathers, since he had his dignity from the Fathers[e];" secondly, his legislative power,—as Peter Stewart, Vice-Chancellor of Ingolstad, witnesseth, that the Grecians object

[a] [Burial Service.]

[b] [Schism Dispatched, sect. 10. p. 642; from Ross.]

[c] [See the Orthod. Confess. Eccl. Orient., P. i. Qu. 56; Field, Of the Church, bk. iii. c. 1. p. 55; and Smith, De Eccl. Græc. Hodiern. Statu, pp. 92—94.]

[d] [Schism Dispatched, sect. 10. p. 642.]

[e] [De Primatu Papæ, lib. ii; ap. Goldast., S. Rom. Imp., tom. i. p. 37.]

it as an error to the Latins, that "they make the Pope's commandments to be their canons and laws[f];" thirdly, his judiciary power,—equalling the Patriarch of Constantinople to the Patriarch of Rome, or rather preferring him[g]; lastly, his dispensative power,—accusing his pardons and dispensations as things "that open a gate to all kind of villany[h]." I am glad that Nilus is in his good grace, to be styled by him "one of the gravest Bishops and authors of that party[i]," for one moderate expression wherein he saith no more than we say. His friend Possevine calls him a 'virulent adversary[k];' and if ever Mr. Serjeant read him throughly, it is ten to one he will change his note. Thus much for my "communion with the Eastern Churches;" it is the same with the Southern and Northern Churches, all which do plead better tradition than himself.

[The Creed the rule of Faith.]

Whereas he saith, that my assertion "that the Creed contained all points necessary" to be believed, "is grounded only upon" my "falsifying of the Council of Ephesus[l]," he bewrayeth his ignorance both in the Fathers and in his own authors. The Scripture is none of those particular articles which are necessary to salvation to be believed; but it is the evidence whereby those articles are revealed, and wherein they are comprehended: the Creed was composed before the canon of Scripture was perfected. They have not only "changed from their ancestors in opinions[m]," but they have changed their own opinions into necessary articles of Faith, which is worse.

[2. Of the second objection; viz. that we are schismatically disobedient to the Council of Trent.]

2. I denied, that the Council of Trent was a general Council, as wanting the requisite conditions of a general Council, which they themselves judge to be necessary. The summons ought to have been general, but it was not. The great Patriarchs ought to have been present, but they were not; neither the Patriarchs of Constantinople, Alexandria, Antioch, and Hie-

[f] [Stewart, Observ. in Manuel. Calecæ Cont. Græc. Error. Libb. IV., p. 423. num. v. Ingolst. 1608.]

[g] [Brerewood's Enquiry, &c., c. xv. p. 128.—Possevin., Capita quibus Græc. &c. a Latinis dissentiunt, Op. pp. 38, 39. —Nilus, De Primatu Papæ, as before quoted.—Hierem., Prim. Respons., as before quoted, c. xiv. p. 105.—Nectarius Hieros., Confut. Imp. Papæ, translat. by Allix, Lond. 1702.]

[h] [Stewart, as before quoted, p. 427. num. xxx.]

[i] [Schism Dispatched, sect. 10. p. 643.]

[k] [Apparatus Sacer, art. Nilus.]

[l] [Schism Dispatched, sect. 10. p. 644.]

[m] [Ibid.; from Reply to S. W., sect. 10; above p. 329.]

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rusalem, nor any of them; nor yet the Patriarchs of Armenia, Abyssinia, Moscow, Muzal, &c., nor any of them[n]. He answereth, they "had no right to be summoned thither, unless to be called to the bar as delinquents, nor to sit there, nor are to be accounted Christians[o]."

It had need to be a large bar indeed to hold them all. Was it ever heard before, that a fifth part of a Council did call four parts to the bar? Their ancestors had right to be summoned to a general Council, and to sit and vote there as well as the best; how have their posterity lost this right? Had they been heard and condemned in a general Council? No. But he urgeth, "what need hearing, when themselves in the face of the whole world publicly confessed and maintain.. their imputed fault[p]." How? "What needed hearing?" O just judge! He that giveth a right sentence, yet, if he give it without hearing, is an unrighteous judge. "They confessed their imputed fault?"—but did they confess it to be a "fault?" No, I warrant you; he cannot say it for shame. Or how should they "confess it in the face of the whole Christian wo.ld?" They are the Christian world themselves, and your Roman world is but a microcosm in comparison of them.

The case is so evident and notorious, that no man can doubt of it. 'The continent hath not left St. Peter's boat, but St. Peter's boat hath left the continent.' The innovation or swerving from Apostolical tradition was not in the Christian world, but in the Court of Rome; who would have advanced their aristocratical power to a sovereign monarchical power, but the Christian world would not give way to it; if this were an error in them, all their ancestors were guilty of it as well as they. But the Court of Rome being conscious to themselves that they were the innovators, to free themselves from fear of being censured by the Christian world, adventured to give the first blow, by censuring the whole Christian world itself. This was a bolder act than that of Pope Victor, which Irenæus misliked so much.

[Who are of the Church.]

He will never leave his Socratical manner of disputing by 420

[n] [Reply to S. W., sect. 10; above p. 330.]

[o] [Schism Dispatched, sect. 10. p. 645.]

[p] [Ibid., p. 646.]

questions;—what "certain rule" have we "to know, what sects are of the Church[q]?"

Although I needed not, yet I have answered this demand formerly[r]. All those are of the Church who wear the badge and cognizance of Christians, that is, the Apostles' Creed as it is explicated by the four first general Councils, as all those Churches do; and have not been cast out of the Church by the sentence of a general Council, as none of these Churches have: no, nor yet by the sentence of the Roman Church itself, if we may trust the Bishop of Chalcedon's Survey chap. viii.—"Neither doth the Roman Church excommunicate all the Christians of Afric, Asia, Greece, and Russia, but only such as do vincibly or sinfully err[s]." He addeth, that "there are innumerable who are not formal heretics, but only *hæreticis credentes*[t]." These continue good Christians still, and are Churches still, and ought not to be excluded from general Councils, though supposed to be materially in an error; much less being innocent, and in no heresy or schism, either formal or material.

I pleaded, that "though it were true" that all the other Patriarchs were such material heretics, "yet of all others they ought especially to have been summoned[u]." The reason is evident, because they that are sick have more need of the physician, than they that are in health. Hence he inferreth, that it is "more necessary that heretics be called to a general Council than orthodox Fathers[x]." Not so; both are necessary, the one to cure, the other to be cured; but the especial consideration, or end of a Council, is for those that err, that they may be reduced.

[The other Patriarchs ought the more to have been summoned, because they were heretics; if they were so.]

I said, "the Pope hath not that authority over a general Council that the king hath over a Parliament[y]." He answereth, that he is "so plain a man," that he "understandeth not what the authority of king or Parliament . . signifies[z]."

I will help him. The king may dissolve a Parliament when he pleaseth; so may not the Pope a general Council against their

[q] [Ibid., p. 645.]
[r] [Above sect. vi. p. 564.]
[s] [Surv. &c., c. viii. sect. 3. not paged.]
[t] [Ibid.]
[u] [Reply to S. W., sect. 10; above p. 330.]
[x] [Schism Dispatched, sect. 10. p. 647.]
[y] [Reply to S. W., sect. 10; above p. 330.]
[z] [Schism Dispatched, sect. 10. p. 647.]

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wills. If the king die by whose writ it was called, the Parliament is dissolved: so is not a general Council by death of the Pope. The king hath a negative voice in Parliament: so hath not the Pope in a general Council.

[The Proto-Patriarchs were not known or condemned rebels.]

I urged, that the Proto-Patriarchs are not known or condemned rebels[a]. He answereth, first, "this is only said again, not proved[b]."

He is always stumbling upon the same block: it doth not belong to me to prove they were not condemned; but to himself, who accuseth them, to shew when and where they were condemned.

Secondly, he answereth, that "their errors . . have been condemned by Councils, and for the most part some of their own party being present[c]."

But the "condemning of their errors" is no sufficient warrant for the excluding of their persons out of general Councils. Neither were these Councils general Councils, or such as had any jurisdiction over the Proto-Patriarchs. Moreover, they condemn Papal errors as well as he condemneth their errors: whether is more credit to be given to the Pope, in his own cause charging all the Patriarchs in the world, or to all the other Patriarchs in the world, unanimously condemning his usurpations in the name of the Catholic Church?

[Not enough Bishops in the Council of Trent.]

He demands, whether "there might not be a Parliament of England without having the fifth part of the members found in that Council, and yet be a lawful" Parliament[d]?

I think there might, if the absence of all the rest proceeded from their own neglect; but not if it proceeded from want of summons, as the absence of the Proto-Patriarchs did.

He bids me "rub up" my "memory," he "believes" I "will find an English law, that sixty members is a sufficient number to make a lawful Parliament[e]."

I have done his commands, and I know no such law; nor he neither; and then he must be a very confident man to cite such a law. Perhaps he hath heard of some ordinance of the House of Commons, how many members at the least

[a] [Reply to S. W., sect. 10; above p. 330.]
[b] [Schism Dispatched, sect. 10. p. 648.]
[c] [Ibid.]
[d] [Ibid.]
[e] [Ibid.]

must be present at doing of some inferior acts; but neither is this ordinance an English law, nor that House an English Parliament. Discours IV.

He saith, I "excepted against the superproportioned multitude of members 'out of one province,' which 'never lawful Parliament had[f].'" [Too man Italian Bi shops in the Counc of Trent.

"Superproportioned" indeed, where there were double the number of Italian Bishops to all the other Bishops of the Christian world (this is no equal representative); and these assembled thither, not to dispute, as he fancieth vainly, but
421 merely to overvote the Tramontanes. A few Bishops had sufficed to relate the belief or tradition of Italy, as well as [that of] the rest of the world; but that had not sufficed to do the Pope's work, that was, to oversway the rest of the Christian world with his "superproportioned multitude" of Italian Bishops.

He saith, "perhaps" I "will pretend, that had the Catholic Bishops out of their provinces been there, they would have voted against their fellow Catholics in behalf of Luther and Calvin, which were a wise answer[g]."

I heed not much what he calleth wise or foolish; I do not only "pretend," but I see clearly, that if the Bishops of other countries had been proportioned to those of Italy, they had carried the debate about residence and the Divine right of Episcopacy; and that had done the business of the Western Church, and undone the Court of Rome.

But he quite omitteth the most material part of my discourse, concerning his resemblance between a Parliament and a general Council; that "the absence of whole provinces and the much greater part of the provinces" (either of England or) "of Christendom, for want of due summons, doth disable such a Parliament or such a Council from being a general representative of the whole[h]." He might even as well say, that an assembly of the Peers and Burgesses of Wales upon summons, without any appearance or summons of all the rest of the kingdom of England, was a lawful Parliament of all England; as say the Council of Trent was

[f] [Ibid.; from Reply to S. W., sect. 10, above p. 331.]

[g] [Ibid., p. 649. "out of *other* provinces."]

[h] [Reply to S. W., sect. 10; above p. 331.]

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a general representative of the Christian world, which was never summoned.

[The Council of Trent not generally received, even by the occidental Churches.]

I proved, that the Council of Trent was no general Council, because it was not generally received, no, not among the occidental Churches; particularly, by the Church of France, in point of discipline[l]. He answereth, that, "notwithstanding," they "acknowledge it to be a lawful general Council, and receive it in all determinations belonging to Faith;" adding, that the disciplinarian laws of a general Council do "bind particular countries only in due circumstances, and according to their conveniences[k]."

But the contrary is most apparent,—that Councils truly general, being the supreme tribunals of the Catholic Church, do bind particular Churches as well in point of discipline as of Faith. The general Councils of Constantinople and Chalcedon did set the see of Constantinople before Alexandria and Antioch, and equal it to Rome[l], notwithstanding the Pope's opposition. What opinion the king and Church of France had of the Council of Trent in those days, appeareth by the solemn protestation of the French ambassador, made in the Council in the name of his Master and the French Church;—that "seeing all things were done at Rome rather than at Trent, and the decrees there published were rather the decrees of Pius the Fourth than of the Council of Trent, we denounce" (said he) "and protest" before you all, "that whatsoever things are decreed and published in this assembly by the mere will and pleasure of Pope Pius, neither the most Christian King will ever approve, nor the French Church ever acknowledge to be the decrees of a general Council[m]."

[The Council of Trent not free.]

That the Council of Trent was not a free Council, I proved, first, by the testimony of Sleidan; secondly, by the bitter complaint of the Fathers in the Council of Trent, that it was "guided by the Spirit sent from Rome in a mail;" thirdly, by the Pope's creating not only new Bishops but new Bishoprics in the time of the Council, to make his party able to overvote their opposers[n]. To the first he saith, that Sleidan

[k] [Schism Dispatched, sect. 10. p. 649.]

[l] [Concil. Constantinop. (A. D. 381) can. 3, et Chalced. (A.D. 451) can. 28; ap. Labb., Concil., tom. ii. p. 947. et iv. p. 770.]

[m] Goldast., [Constitut. Imper.,] tom. iii. p. 57[3. See Just Vindic., c. vii. vol. i. p. 221.]

[n] [Just Vindic., c. ix. vol. i. p. 258.]

was "a notorious[ly] lying author of" our "own side[o]." Who fitter to relate the grievances of the Protestants than a Protestant? Which he did not say in a corner, but published to the world in print, when they might have refuted it if they could. To the second he answereth, that it was "a jeering expression[p]." Yes, it was biting as well as "jeering."

> " . . . . . Ridiculum acri
> " Fortius et melius magnas plerumque secat res[q]."

The French ambassador (whom he thought to pass by in silence) did not 'jeer;' yet he said the same thing in sad earnest. To my third argument, he saith, it is "nothing to the purpose[r]." How? "Nothing to the purpose?"—for the Pope, when his affairs were going retrograde and his party like to be overvoted, to create new Bishoprics, to ordain new Bishops, and pack them away presently to the Council to assist his party, and by that means to gain a plurality of voices? Is
422 this "nothing to the purpose" in his opinion? It may be he thinks, that Italy had not Bishops enough there (yet they had two thirds of the Council before); or that these new Bishops did understand the tradition and belief of Italy better than all the rest.

[3. Of the third objection; viz. that we quitted our lawful Patriarch.]

3. If it be his mind to wave the Pope's Patriarchal power[s], I am contented; otherwise his proof will not weigh much, unless we admit strangers (who know little or nothing of our privileges, more than we know the Cyprian privilege before the Council of Ephesus) to be competent judges, and will interpret a Western Patriarch to be the only Patriarch of all the West. The Archbishop of York is Primate of England, and yet all England is not subject to his jurisdiction. "Forfeiture" and "quitting" are two distinct charges[t]; an office is forfeited by abuse; and quitted by assuming a new office inconsistent with the former, as I have shewed the Papacy and a Patriarchate, that is, a sovereign and subordinate power, to be. But a Patriarchate and a Bishopric, being both subordinate to a general Council, are not inconsistent;

[o] [Schism Dispatched, sect. 10. p. 649.]
[p] [Ibid., pp. 649, 650.]
[q] [Horat., Sat. I. x. 14, 15.]
[r] [Schism Dispatched, sect. 10. p. 650.]
[s] [Ibid.]
[t] [Ibid.]

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and much less the office of a king, and master of a family, the one being political, the other œconomical. But an universal monarchy by Divine right, and the presidency of a particular province by human right, are inconsistent; I gave him my reasons for it[u], and he taketh no notice of them.

He excepteth against my styling Patriarchal authority a "Patriarchal aristocratical dignity[x]," which he calleth my "thrice-repeated nonsense[y]." It is well he did not make it a "contradiction." His reason is, because "a Patriarchate is a government by one, an aristocracy by many[z]." The answer is obvious and easy: a Patriarch is a monarch in the government of his own Patriarchate, yet subordinate to a general Council; but in a general Council, or in the government of the Catholic Church, he is but one of the *optimates*, or a fellow-governor with other Bishops.

He saith, "it was never pretended by Catholics, that the Pope" was "the king of the Church[a]." I wonder that he is no better acquainted with the Sorbonne disputes, whether the regiment of the Church be an absolute monarchy[, or a monarchy] tempered with an aristocracy.

[4. Of a fourth objection; viz. that there is no mention of Sacrifice in our ordination.]

4. We have a meritorious Sacrifice, that is, the Sacrifice of the Cross; we have a commemorative and applicative Sacrifice, or a commemoration and application of that Sacrifice, in the Holy Eucharist. A suppletory Sacrifice, to supply any want or defects in that Sacrifice, he dare not own; and unless he do own it, he saith no more than we say[b].

[5. Of a fifth objection; viz. that our first Protestant Bishops were not truly ordained.]

5. What I spake of our registers, I intended principally of that "Register of the right Ordination of Protestant Bishops[c]," that he may see when he will for his love, and have the copy of any Act in it for his money; but he had rather wrangle about it than take such pains; if he will have a little patience, I will ease him of that labour and expences.

It is no "insuperable difficulty," nor any difficulty at all to us, to find out that "Catholic Church[d]" which we have in

[u] [Reply to S. W., sect. 10; above pp. 332, 333.]
[x] [Ibid., p. 333; and Just Vindic., c. ix. vol. i. p. 261.]
[y] [Schism Dispatched, sect. 10. p. 651.]
[z] [Ibid.]
[a] [Ibid.]
[b] [See the Answ. to La Millet. (vol. i. pp. 54, 55), Disc. i. Pt. i.]
[c] [Schism Dispatched, sect. 10. p. 651.]
[d] [Ibid.]

our Creed; but to find out his Roman Catholic Church, is both a contradiction '*in adjecto*,' and an apple of contention, serving to commit him and his friends together among themselves; which he knoweth, and therefore declineth it. Discou IV.

I called not the ancient Bishops of Italy either "Episcopelles" or "the Pope's hungry parasitical pensioners;" but the flatterers of the Roman Court, and principally those petty Bishops, which were created during the Council of Trent, to serve the Pope's turn[e]. If he think that Court free from such moths, he is much mistaken. Neither are these expressions mine originally; I learned them from the ancient Bishops of Italy themselves, who gave them those very names of Episcopelles, &c. Neither did I tax any man in particular.

He desires me to "examine" my "conscience," whether I "do not get" my "living by preaching that doctrine which" I "put in" my "books; which, how many notorious falsities, contradictions, and tergiversations they have in them, may be judged by this present work[f]."

Yes, if he and his "merry stationer" may be my judges. Now his work is ended and answered, I will make him a fair offer: if he be able to make but one of all his "contradictions," and "falsifications," and "absurdities" good, I will be reputed guilty of all the rest; if he be not, I desire him both to "examine" his own "conscience" and discretion, what reward he deserveth both at the hands of God and man for so many notorious calumnies. As for his faults, I shall rather leave them to the judgment of the reader, than trouble myself with the recapitulation of them.

423 In the close of my discourse I answered an exception of his, that I "cited Gerson against myself[g]." The words of Gerson (or rather of the Eastern Church when they separated from the Roman) are these, "*Potentiam tuam recognoscimus, avaritiam tuam implere non possumus, vivite per vos*"—"We know thy power, we cannot satisfy thy covetous- [Gerso account the fina separati of the Greek Church from th Roman.

[e] [See Just Vindic., c. ix. vol. i. p. 258; and Reply to S. W., sect. 10, above pp. 331, 332.]

[f] [Schism Dispatched, sect. 10. p. 653.]

[g] [Schism Disarmed, Pt. iii. sect. 1. pp. 242, 243.—Reply to S. W., sect. 10; above pp. 334, 335.]

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ness, live by yourselves[h].” They knew that he had a Patriarchal power, and that he was the first or chief of the Patriarchs; but this power we deny not: that power which we deny, is a supremacy of single power, and that by Christ's own ordination; the question is, whether the Grecians did acknowledge such a power due to the Pope in these words. That they did not, I prove, first, by the practice of most of all the Eastern Churches, who excommunicate the Pope yearly as a schismatic for challenging this power[i]. Secondly, I prove it by the testimony of all their writers, especially the modern Greeks, as Hieremy[k] and Cyril[l], the two succeeding Patriarchs of Constantinople, and Nilus[m] an Archbishop, &c.; who all deny this power to the Pope in the name of the Greek Church. Thirdly, I prove it by his own confession in this very chapter, “There is no one point produced by him, which our Church looks upon as a point of Faith, in which they dissent from us and consent with the Protestants, except that one of denying the Pope's supremacy[n].” How? Do they grant the Pope's supremacy, and “deny the Pope's supremacy,” and yet continue the same without variation (as they have done)? I do not say this is a contradiction, but let the reader judge.

His reasons are mere prevarications, not reasons.

First, here is no “opposition” between “power” and “covetousness[o],” unless he mean all affirmatives and negatives (whatsoever be the subjects or predicates) are opposites; and if they were, it signifieth nothing.

“Secondly,” he demands, “what power had the Pope over them except spiritual jurisdiction[p]?” I answer, he shewed them sufficiently at the division of the Greek Empire; and then they stood in need of his assistance against the Turk.

His third, fourth, and fifth arguments may be reduced to one, and when they are twisted, they will not have the weight of one single hair.—The difference was about “undue subsidies and taxes,” but “the demanding subsidies

[h] [Gerson, Op. P. iv. fol. 114. O.]
[i] [See Allat., De Eccl. Occid. et Orient. Perp. Consens., lib. iii. c. 17. § 13—17.]
[k] [As quoted in note g, p. 635.]
[l] [Confess. Fidei, c. 10. p. 24.]
[m] [De Primatu Papæ, libri II.; ap. Goldast., Mon. S. Rom. Imp., tom. i. pp. 30, &c.]
[n] [Schism Dispatched, sect. 10. p. 642.]
[o] [Ibid., p. 653.]
[p] [Ibid., p. 654.]

seems incredible, had there not been some preacknowledged power to ground . . such demands" upon[q]. Yes, there was his Protopatriarchal power, and that tentered and stretched out to the uttermost extent: and when he would have extended it yet higher, the Grecians cast out his usurpations. I see he doth but grope in the dark, I will help him to some light. Peter Stewart upon Caleca[r] tells him what these "undue subsidies" and exactions were;—"when the Pope's legates brought yearly the Chrism from the Apostolic See to Constantinople, they would not depart from thence unless they had eighty pound weight of gold besides other gifts bestowed upon them." Discot IV.

"Lastly," he addeth, "Gerson concludes, that 'upon this consideration they might proceed to the reformation of the French Churches, notwithstanding the contradiction which perhaps some of the Court of Rome would make;' which . . evidenceth, that the acknowledgment of the Pope's just power was retained, . . and encroachments on their liberties only denied[s]." '*Concedo omnia.*' His Protopatriarchal power was acknowledged, his sovereignty of jurisdiction was denied as an encroachment; and this is the same method which we observed in England.

And so Mr. Serjeant concludes his Rejoinder, that "the Bishop . . began like a bowler" and "ends like one of those artificers, who going to mend one hole use to make other three[t]." Just, Mr. Serjeant, just; 'as your mind thinketh, so the bell clinketh.' If there be any of those artificers here, it is yourself; whose constant custom is to make holes where there are none, and out of an eager desire of contradicting others, to plunge yourself irrecoverably into real contradiction. With scurrility you began this Rejoinder and with scurrility you end it. [Conclusion.]

That which followeth[u] is a dish of thrice sodden coleworts, or a vain recapitulation of his own imaginary achievements, which the reader hath been troubled withal too often already.

[q] [Ibid., pp. 654, 655.]

[r] [Stewart, Observ. in Manuel. Calecæ Cont. Græc. Error. libb. IV. p. 407.]

[s] [Schism Dispatched, sect. 10. p. 655.]

[t] [Ibid., p. 656.]

[u] [Viz. a recapitulation of the main argument of the book, occupying the last ten pages.]

PART I.

I have done with Mr. Serjeant's Rejoinder, and have but one short request to the reader; that if he meet with any thing in this treatise, which is not becoming that gravity or civility which one scholar oweth to another, especially in theological inquisitions, '*sciat responsum non dictum esse*,'—424 he will be pleased to consider, that it is hardly possible to answer so much petulance without some tartness. For the future, if Mr. Serjeant have any thing to say upon this subject, let him say it logically, and he will not have cause to complain that he is neglected; but if he pursue this way of "quibbling" and "wording" (which he complaineth of in others without a cause, and practiseth himself), I shall make bold to cull out and answer whatsoever I judge material, and leave the rest to a younger pen, which will attend his motions.

THE END.

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ERRATA.

Page 40, line 18, *for* "a Church of Rome" *read* "the Church of Rome"
—— 52, line 7, *for* "rites" *read* "rights"
—— 65, line 27, *for* "piety?" *read* "piety;—"
—— 94, line 36, *for* "prisoned" *read* "imprisoned"
—— 134, line 34, "Find," dele the comma.
—— 143, note i, *for* "Surv., c. v." *read* "Surv., c. iv."
—— 145, line 7, *for* "were" *read* "were,"
—— 265, margin, *for* "Lucarn" *read* "Lucar"
—— 283, note l, *for* "Weteberg" *read* "Witeberg"
—— 329, note y, *for* "Rel. Christ." *read* "Reb. Christ."
—— 390, line 37, *for* "heretics. It" *read* "heretics; it"
—— 500, margin, *for* "separation" *read* "separators"
—— 511, line 13, *for* "falshood" *read* "falsehood"
—— 601, line 32, *for* "the ydid" *read* "they did"

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